



















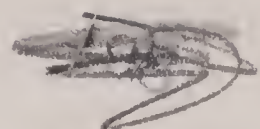




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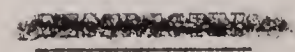
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THE STRUCTURE OF THE GOVERNMENT OF BURMA

A descriptive study of the structure of Burma's government under both British rule and Japanese occupation, with special emphasis on the functioning of local agencies. Charts covering both systems are included.

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SUMMARY

British Government in Burma had three focal points: the Governor, the Deputy Commissioners heading up the administration of the thirty-five districts into which the country was divided, and the more than eleven thousand village headmen. The High Court of Judicature functioned under the direct authority of the British Crown and supervised the judicial services throughout Burma. Executive officials exercised limited criminal jurisdiction.

Control by a Civil Service hierarchy, partly British, partly Burman, characterized the system. Burma's Central Secretariat included twenty-six administrative departments, many of whose functional operations related to local administration. The increasing use of indigenous personnel since World War I, in both the Secretariat and the regional administrative agencies did not imply large representation of the Burman point of view in matters of policy.

Elective aspects of Burma's government, introduced since 1920 as a result of political agitation, were addenda to an already functioning program. Neither on the central nor on the local level had the two aspects, official and elective, become integrated effectively by the time of World War II. Burman nationalist sentiment refused to cooperate in a program fashioned in London. The authority of the village headman was also compromised by his official status and by





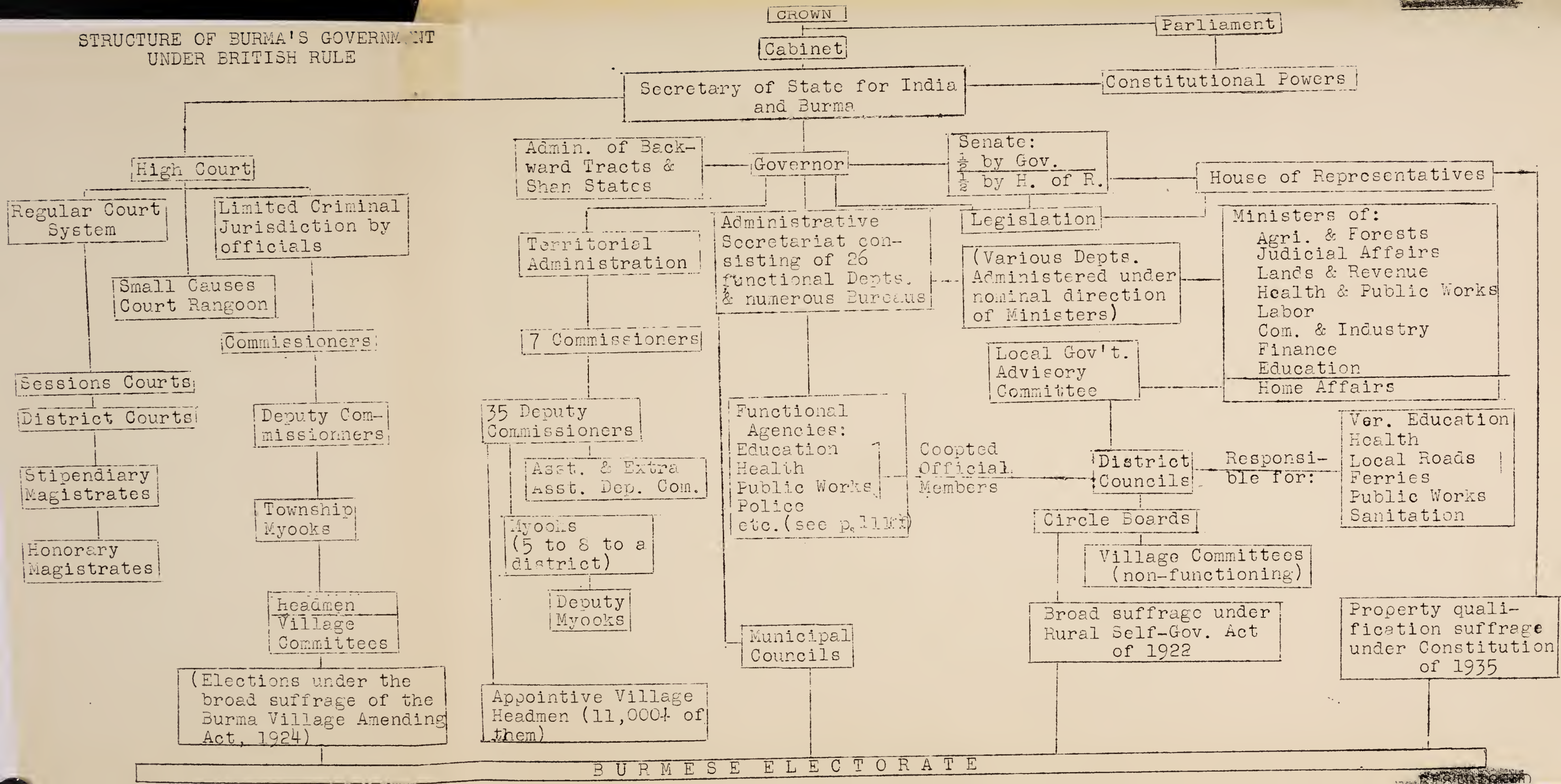
his lack of responsibility to the villagers.

Burman administration under Japanese occupation has been compromised by Japanese direction from the top and by arbitrary interference on the part of the army wherever military ends were involved. The occupation has, however, seriously disrupted Burmese society. The Gestapo methods of the Military Police have established a semblance of order, but economic collapse has raised problems which the authorities have been powerless to solve. The central government enjoys limited prestige, and only the religious traditions of the people and the local influence of the headmen survive to buttress the sagging social structure.





# STRUCTURE OF BURMA'S GOVERNMENT UNDER BRITISH RULE







# THE STRUCTURE OF THE GOVERNMENT OF BURMA

## I. INTRODUCTION

### A. Three Focal Points of Governmental Authority in Burma

Sovereign authority in Burma emanated from the British Crown and was centered, for the most part, in the office of the Governor. The Governor exercised plenary supervision over the entire field administrative operations. He controlled the selection of Civil Service personnel and was specifically charged with safeguarding their interests. He could veto legislative enactments and enjoyed considerable positive initiative in that field. In emergencies, which he was personally competent to interpret, the Governor could assume jurisdiction over all governmental activities. He had sole responsibility for the administration of the backward hill tracts and the Federated Shan States.

The office of the Deputy Commissioner was the second focal point of authority. As heads of the thirty-five administrative districts into which Burma proper was divided they were the embodiment of sovereign authority on the local level. Approximately half of such posts in 1940 were filled by ranking Burman members of the Civil Service. They were the top criminal magistrates of their respective jurisdictions and handled all important cases in the category. They supervised financial and police administration, the local health and forestry services, supported educational standards, and maintained the operation of trunk line highway communications.



The Deputy Commissioners also presided over the regular meetings of the elected District Councils. All administrative officials functioning within the district were responsible to them and in matters of policy and jurisdiction their arbitrament was usually final.

The third focal point of administrative control was the village headman, or thugyi. In densely populated areas, village tracts were from three to six square miles in area, sometimes including more than one settled community. The headmen were appointed by and responsible to the Deputy Commissioners who usually considered heredity, economic status, and village preferences in selecting them. As government officials, headmen were charged with the maintenance of law and order, the collection of land revenue, the adjudication of petty criminal offenses, and numerous routine tasks. They enjoyed legal authority to oblige all their villages to assist in carrying out such duties. As compensation each received a percentage of the land revenue he collected. Theoretically headmen were advised and assisted after 1924 by Village Committees but they had to shoulder full responsibility for local administration. The eleven thousand thugyis were in a sense the capillaries which carried the blood stream of governmental authority into the remote areas of Burma's body politic.

#### B. Bureaucratic and Elective Aspects

Acting as a kind of liaison between the three focal points of governmental authority were the seven European regional Commissioners

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(between Governor and Deputy Commissioners) and various Assistant Deputy Commissioners and township officers, Myooks (between the Deputy Commissioners and the headmen). The functional breakdown of bureaucratic responsibility was entrusted to the twenty-six departments of the central Secretariat at Rangoon which will be described below. Many departments maintained within the several geographic districts officials assigned to specific services, such as justice, health, education, public works, forestry, and police, who functioned more or less autonomously.

Elective aspects of Burma's government both central and local, introduced since World War I, did not alter significantly the actual incidence or character of administrative control. The importance of the central Legislature was mainly political. The party leaders who made up the Council of Ministers, responsible under the Constitution of 1935 to the House of Representatives, exercised nominal direction of the administrative departments and bureaus assigned to them. Elected Municipal and District Councils did undertake genuine administrative responsibilities, but both were notoriously inefficient and lacking in political vitality. The bureaucratic Civil Service operating under the authority of the Governor constituted the core of the government under British rule and is so designated on the accompanying chart.<sup>1</sup>

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<sup>1</sup> See Frontispiece

C. Method of Approach

Although the primary aim of this study is to describe the operation of local government in Burma, an understanding of the over-all system of administration is necessary. This calls for clarification of the position of the Governor, a description of aspects of departmental administration impinging on local affairs, and an interpretation of the significance of the Legislature and the Cabinet for local administration. Local Government proper will be treated under three headings: (1) district bureaucratic administration, (2) the operation of village headman control, and (3) elective aspects of local self-government. A final section will be devoted to the changes and adaptations which the Japanese have introduced into the traditional system of local government.



## II. THE STRUCTURE OF BURMA'S CENTRAL GOVERNMENT

### A. The Office of the Governor<sup>2</sup>

1. Executive Power. The office of Governor of Burma was established by Letters Patent issued by the British Crown in Council. The Secretary of State for India and Burma provided the Governor's Commission and Sign Manual and also prepared his draft instructions. The constitutional initiative for Burma resided with the Parliament at London which established by legislative enactment in 1935 the Constitution that was operative at the time of British withdrawal. The Governor was personally responsible to the Secretary of State, and the latter to the British Cabinet. Sovereignty resided in the British Crown, all Burma officials being required to take the oath of allegiance to "the King, his Heirs, and Successors."<sup>3</sup>

Under the Constitution the Governor was given three kinds of power: reserved, mandatory, and discretionary. To his exclusive authority were entrusted the Shan States and the so-called backward tracts, Anglican ecclesiastical affairs, military defense, foreign relations, and monetary policy. His mandatory responsibilities included the maintenance of peace and order, the safeguarding of Burma's financial stability and international credit, the prevention of

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2 John Christian, Modern Burma, (Berkeley, 1943) Chapter VI

3 Great Britain, Parliamentary Papers, 1936-37, XX, "Draft Instrument of Instructions to the Governor of Burma", pp. 2-3

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oppression and discrimination of religious minorities, the protection of the legitimate interests and legal rights of the members of the Public Service and their dependents, and the safeguarding of the commerce of the United Kingdom and India from penal or discriminatory action by Burma's tariff laws. To assist him with the duties reserved to his personal control and included in his special responsibilities, the Governor was authorized to appoint an Advocate General as legal adviser, a financial adviser (selected in consultation with the regular Ministers) and staff, and three Counselors.

On matters outside his specific responsibilities, the Governor was to be guided by his Ministers. All executive acts were made in the Governor's name, however, and he himself was the judge of the extent of his authority and whether or not any specific question came under his jurisdiction.<sup>4</sup> In any situation which, in his opinion, imperiled governmental authority, the Governor could assume "all or any of the powers vested in or exercised by any body or authority in Burma."<sup>5</sup>

The most extensive Constitutional limitation on the power of the Governor concerned the appointment of his Ministers and the acceptance of their advice. Whereas the Ministers under the preceding dyarchic regime (1923-37) had been in part responsible to the Governor and in part to the Legislative Council, after 1937 they were made fully responsible

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4 Ibid., pp. 3-6

5 Christian, op. cit., pp. 79-80, 102

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to the House of Representatives. The Governor was explicitly instructed to select "in consultation with the person, who, in his judgment, is most likely to command a stable majority in the Legislature, those persons who will be in a position collectively to command the confidence of the Legislature." He was charged with fostering a sense of joint responsibility among his Ministers, and not to act arbitrarily so as to relieve them of "responsibilities which are properly their own."<sup>6</sup> In routine matters the Governor was to follow the advice of his Ministers. He was not obliged to do so, however, if in his judgment their counsel appeared likely to jeopardize any of his delegated responsibilities. Nor could he be required in such instances to cite a specific provision of the Act of 1935 to justify his rejection.<sup>7</sup> The Constitution tended to cultivate the development of ministerial responsibility to the Legislature and to enlist Burman interest in all matters connected with their safety and welfare.<sup>8</sup>

2. The Legislative Powers of the Governor. The Legislative powers of the Governor were extensive. He could call, prorogue, or dissolve either or both Chambers of the Legislature, subject only to the provision that the body must meet at least once a year. Half of the thirty-six members of the Senate were appointed by the Governor. He was also represented personally in legislative sessions by his

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<sup>6</sup> Parliamentary Papers, op. cit., p. 3

<sup>7</sup> Ibid., p. 5

<sup>8</sup> Ibid., pp. 6-7



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Counselors and the Advocate General, all of whom had the right to speak before either Chamber. The Governor could influence legislative procedure in any of the following ways: (a) by withholding confidential information, (b) by prohibiting discussion of certain subjects or the raising of questions relating to the foreign policy or the excluded areas, (c) by restricting consideration of subjects falling within his special responsibilities under the Constitution or where the discussion itself would endanger the peace, (d) by requiring his previous consent for the introduction of any bill touching constitutional matters, the Governor's personal prerogatives and responsibilities, or any discriminatory alteration of criminal trial procedure, professional competence, or taxation liability which would affect adversely the interests of persons domiciled in the United Kingdom. The Burma Legislature was not empowered to control Indian immigration or tariff policy until April 1940.<sup>9</sup>

Executive veto over legislative enactments in Burma extended through the office of the Governor to the London authorities. The Governor could veto any act of the legislature or could withhold his consent pending consultation with the Home Government. The latter procedure was mandatory for any action which would derogate from the power of the High Court, or might embarrass the Governor in the discharge of his responsibilities.<sup>10</sup> Even if the Governor approved an

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<sup>9</sup> Christian, op. cit., pp. 81, 84-86, 91

<sup>10</sup> Parliamentary Papers, op. cit., pp. 7-8

Act, the Home Government (Secretary of State) could veto it within a year after its enactment.

The Governor's powers of initiating legislation were fourfold. If the Legislature refused to appropriate funds covering any phase of his special responsibilities, he had the power to authenticate over his signature a schedule of expenditures covering the item. In the second place, he enjoyed unlimited authority to issue ordinances for the excluded areas. He could also promulgate, during a recess of the legislature, emergency ordinances with the status of ordinary legislation. These had to be submitted to the Legislature for approval when it reconvened and lapsed after six weeks unless confirmed by that body. Finally, the Governor could enact laws that were superior to any subsequent legislative act (i.e., not subject to repeal) whenever he deemed it necessary for the proper discharge of his duties. Such acts, however, had to be communicated to the Secretary of State at London who submitted them to both Houses of Parliament for approval.<sup>11</sup>

#### B. The Court System of Burma

The High Court Judicature at Rangoon was created by special Royal Letters Patent in 1922, and functioned, therefore, under the direct authority of the British Crown. The Justices were appointed by the Crown and could be removed only by the Home Government. Temporary vacancies could be filled by the Governor, who could also appoint additional judges on temporary tenure as needed. The High Court directly

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<sup>11</sup> Christian, op. cit., pp. 86-88, 93

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supervised the regular judicial services throughout Burma, including matters of procedure, and the services of sheriffs, clerks, attorneys, and other officers.<sup>12</sup> It was the highest court of appeal for both civil and criminal cases, and also reviewed cases arising in the Small Cause Court of Rangoon.

The general policy was to divest the judicial services of their executive responsibilities. Executive officers, on the other hand, retained criminal jurisdiction. This was particularly true in the more backward areas, where executive officials exercised full criminal supervision.

Below the level of the High Court were the Sessions Courts, the District Courts, and the Stipendiary Magistrates, all of whom dispensed both civil and criminal justice and handled an enormous amount of legal business. Minor court judges were appointed and removed by the Public Service Commission but the Governor consulted with the High Court in making all important appointments. Many Burmans qualified themselves for the lower rank judgeships. The benches of the honorary magistrates supplemented the regular court system. These judges were recruited from retired officials and influential businessmen and handled some 25,000 minor civil suits per year.<sup>13</sup> Routine administration of the entire court system was entrusted to the Judicial branch of the Burma Commission.

Criminal jurisdiction was shared extensively by executive officers. On the lowest levels it was exercised by the village headman and by the

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12 Indian Statutory Commission Report (hereafter ISCR), 1931, XI, pp. 6-7

13 Christian, op. cit., pp. 95-97, 163-64; ISCR, XI, pp. 234-35

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township officers. All Deputy Commissioners, Assistant Commissioners, and Extra Assistant Commissioners acted as criminal magistrates of their respective Districts. The criminal justice system also included the services of the Government Advocate, three Deputy Advocates, and some thirty Public Prosecutors.<sup>14</sup>

The official language of the High Court was English, and the law applied was an adaptation of British and Indian practice.<sup>15</sup> A codified version of Burmese Buddhist Law was operative in Burma proper "in cases where the parties are Burmese Buddhists and the question to be decided is one regarding succession, inheritance, marriage or caste, or any religious usage or institution."<sup>16</sup>

### C. Administrative Departments

The central Secretariat of Burma's administrative system included twenty-six departments. Only those bearing on problems of local government need be described in detail.

1. The General Administrative Department. The general administrative department included primarily officials assigned to governmental posts on a territorial basis. At the top of the service were the divisional Commissioners, one for each of the seven divisions: Myitkyina, Mandalay, Sagaing, Pegu, Irrawaddy, Tenasserim, and Arakan. Their functions were supervisory and, except in backward areas where they exercised

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14 ISCR, XI, p. 234

15 The Burma Code, 6th edition, Rangoon, 1934, 3 volumes

16 O. H. Mootham, Burmese Buddhist Law (Oxford, 1939), p. 1

wide executive and judicial control, not particularly important. The Commissioners were often men who had served long and acceptable in the Burma Civil Service and who were elevated to this high post on the eve of their retirement as a reward for their services.

More vitally important were the district officers, the Deputy Commissioners already referred to. Thirty-five of them were in charge of the regular district administrations, and a score of officials of equal rank performed specialized tasks. Among their primary functions were the magistracy of the district criminal courts and the supervision of the collection of income tax and land revenue. Subordinate to them were the fourscore Assistant Commissioners and Extra Assistant Commissioners, who aided in district administration and provided a pool from which future District Commissioners could be drawn. The Assistant Commissioners included the most promising of the younger indigenous recruits to the Burma Civil Service.

Each district was broken up into five to eight townships, and these in turn into village tracts. At the head of the 180 odd townships were Burman officials called Myooks, who were members of the subordinate Civil Service. They were Deputy Commissioners in miniature. The Myook supervised routine administrative matters. Assisting the regular township officers in heavy duty areas were Deputy Myooks. They were selected by competitive examination to provide a trained reserve of candidates for the Subordinate Civil Service and for replacement, leave, and emergency vacancies of the regular Myooks.<sup>17</sup>

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<sup>17</sup> ISCR, XI, pp. 6, 224-25, 232-33

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The Myook was ordinarily the lowest salaried official whose authority bore directly on the native population. The lower administrative officials, along with village headmen and elected local agencies, will be described in a later section of this report.

About five-eighths of the expenditures of the General Administrative Department went to the districts. The Secretariat and the agencies above the district level were considered by the Burmans unduly expensive for the services tendered.

2. The Police Department. The Police Department was divided into the Civil and Military branches. The Civil Police included four sections: (a) the District Police (charged with the prevention and detection of crime, guard and escort duty), (b) the Rangoon Police, (c) the Railway Police, and (d) the Criminal Investigation Department. The first three sections of the Civil Police were largely indigenous and included some 1,800 officers and more than 13,000 men. They manned 356 permanent police stations and 46 outposts.<sup>18</sup> The fourth division, the C.I.D., was essentially a detective agency, concerned with counter-espionage operations and evidences ferreting out of political disaffection. As such it was highly unpopular among the Burmans.

The Military Police was composed normally of ten battalions: Six under the direct control of the Governor and the remainder under the Home Minister. The Governor's battalions were assigned to frontier

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<sup>18</sup> Christian, op. cit., pp. 160-61



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defense and to policing the Hill Tracts and the Shan States. The force under the Home Minister functioned as an armed reserve to care for local disturbances and tumults, to provide special patrols when dacoity (armed robbery by five or more persons) threatened, and to guard the treasury vaults at the district headquarters. The Military Police numbered around 12,000 in 1937. It was a non-Burman organization composed mainly of Burkhas, Sikhs, Punjabi Mohammedans from India, and Karens, Chins, and Kachins from Burma.<sup>19</sup>

At the head of the Police Department were the Inspector-General and five Deputy Inspectors-General. One of the latter was a military officer responsible for the efficiency of the Military Police. Another supervised the work of the C.I.D. and the Railway Police. Each of the three remaining Deputy Inspectors-General was assigned to a Range comprehending approximately one-third of the area of Burma under civil police control. The Range officers were responsible for suppression of crime, and also had charge of immediate personnel administration within their respective jurisdictions. An Assistant Inspector-General supervised personnel, buildings, and police equipment.

The Rangoon City Police operated under a separate Commissioner, who supervised among other things the registry of motor vehicles for the entire Province.<sup>20</sup>

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19 ISCR, XI, pp. 205-206; Christian, op. cit., pp. 161-162

20 ISCR, XI, pp. 205-212

The thirty-five District Superintendents of Police bore the major responsibility for policing the civilian population. Under each was an Assistant Superintendent of Police and one or more Deputy Superintendents, plus the necessary clerical force for the district office. The hierarchy continued downward through the levels of Inspectors of Police and Sub-Inspectors. Approximately 10 percent of the latter group were connected with the prosecuting functions of the Police Department. Station Writers were next in rank, followed by the Head Constables and the Constables, numbering in all about 10,000 persons. Village headmen and assisting village gaungs received no pay for their police work, but were rewarded for courage displayed in defending the village against attack and for cornering lawless bands. Practically all of the lower ranks of the police up to the level of Sub-Inspectors were Burman. They constituted a majority of the Deputy Superintendents, and found their way occasionally into the higher ranks.

The Burma Police force was three or four times as expensive to maintain on a per capita population basis as were similar groups in representative Indian Provinces. The District Police absorbed about two thirds of the total expenditure.<sup>21</sup> The number and the approximate salary range of the various levels of the Civil Police,

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<sup>21</sup> ISCR, XI, pp. 206-212

as of 1927, are indicated below:

<u>Number</u>	<u>Rank</u>	<u>Salary Range</u>	<u>Remarks</u>
1	Inspector General	Rs. 2500-3000 per m.	
5	Deputy Inspector-General	Rs. 1750-2150 per m.	
39	Assistant Superintendent	Rs. 325-675 per m.	
64	Deputy Superintendent	Rs. 250-700 per m. Increasing in no.	
217	Inspector		
169	Sub-Inspector	Rs. 175-295 per m.	
1578	Sub-Inspector	Rs. 100-175 per m.	Prosecuting service
432	Station Writer	Rs. 100-175 per m.	Increasing in no.
1019	Head Constable	Rs. 45-60 per m.	
9531	Constables	Rs. 40-45 per m.	Decreasing in no.
		Rs. 50	Decreasing in no.

Popular nationalist criticism of the police department focused primarily on three points: (a) the non-Burman character of the military branch, (b) the allegedly undue proportion of the energy of the police spent on political surveillance, (c) the discrepancy obtaining between the salaries at the higher levels and those of the constables.<sup>22</sup>

3. The Prison Department. The prison system of Burma was efficiently managed from both health and economic standards. Nine central jails, the two most important being at Rangoon and Insein, housed a daily average of 11,500 prisoners in 1939, around 60 percent of the total jail population. Seventeen district jails located at the headquarters of the leading districts took care of an average of 230 each. In addition there were two camp jails totaling under 2,000 inmates, one at Alon and the other at Mòkpalin, where quarry operation prepared stone

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<sup>22</sup> ISCR, XI, pp. 213-15



for use on the public highways. Five small subsidiary jails with a combined daily capacity of around 400 completed the list. The average total daily population for 1939 was slightly under 18,000, of whom 7,100 were habitual offenders. It is remarkable that within the total group there were found only 163 females and 126 youths under eighteen years of age. The daily prison population was kept relatively constant only by steadily increasing the number of short-term sentences and by reducing those of two to five years' duration.<sup>23</sup>

The maintenance of extensive and various manufacturing and productive undertakings was a major concern of the Prison Department. The Insein Central Jail, for example, operated a Jail Branch Press, a modern wollen textile factory, and a boot factory. The Rangoon jail manufactured clothing quinine, buckets, and various forms of household furniture. Other prisons specialized in the making of rugs, leatherware, wood carvings, and highway stone. Many of the jails maintained dairies and vegetable gardens. The latter were especially remunerative. Smaller amounts of paddy, dahl, and condiments were produced.

Among the specialized institutions maintained by the department were the Juvenile Jail at Maiktila, where 45 to 55 younger lads were segregated; the Tagsdale Mental Hospital for the criminally insane near Rangoon; the jail for lepers at Pagan; a block of cells in the Moulmein Central Jail reserved for refractory and dangerous prisoners; and the

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<sup>23</sup> Report on Prison Administration of Burma for...1939 (Rangoon, 1940), pp. 1-2, 38. Sentences for one month or less were 11 percent in 1927 and 29 percent in 1939.

Salvation Army Juvenile-Adult Criminal Institution at Tamwe, Rangoon, serving around thirty selected prisoners.<sup>24</sup>

4. The Justice Department. The court system has been described above in Section IIB under the High Court. Administrative details were handled through a regular departmental set-up in the Secretariat. Salaries of District administrative officials who exercised criminal jurisdiction were cared for entirely outside the Justice Department's budget.<sup>25</sup>

5. The Public Health Department. The primary function of the Health Department was the prevention of epidemic disease. The establishment in the field operated on a rather small budget, and was further handicapped by being dependent for its activities on local cooperation. Vaccination and inoculation were not popular. The work of the District Inspectors of Vaccination was supervised by elected District Councils who were not inclined to insist on strict enforcement of the compulsory vaccination law. Less popular objection was raised to the free distribution of quinine by the Malaria Bureau of the Department.

The District health officer was usually the head Civil Surgeon. He was obliged to compile his reports on vital statistics from incomplete

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24 Ibid., pp. 8-13; Christian, op. cit., p. 103; ISCR, XI, p. 158

25 ISCR, XI, pp. 234-235

data furnished by the village headmen. A number of municipalities maintained their own health officers.<sup>26</sup>

Major authority within the department rested with the Public Health Board. The Minister of Public Health was the President of the Board. Ex officio members included the Inspector-General of the Civil Hospitals, the Chief Engineer for Roads and Buildings, the Director of Public Health, the Superintending Engineer of the Department, and the Secretary of the Department. Non-official Representatives of the Legislature elected six members to the Board and two were nominated by the Minister of Health. The Board derived its prestige primarily from its power to approve grants for public health services, which constituted the largest single item in the departmental budget. No locally sponsored project costing more than Rs. 25,000 could be initiated without the approval of the Board. It also supervised the utilization of such appropriated funds.

Much of the work of the Board was advisory and administrative. It attempted to coordinate public and private health services, initiated health projects for consideration by the District Councils, addressed local authorities relative to administrative deficiencies and reported grave derelictions to the Government itself.<sup>27</sup> The tendency toward officious supervision apparently militated against the success of the

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26 ISCR, XI, pp. 103-13

27 ISCR, XI, pp. 281-82



declared policy running throughout the public health program to force local authorities to accept increasing responsibility in health matters.

6. The Civil Medical Department. The work of the Civil Medical Department was closely associated with the public health program. The dispensing of modern medical service was almost exclusively a governmental function, since there was almost no Burman demand for the services of European-trained private practitioners. The Department maintained some 300 hospitals and dispensaries, averaging about twenty beds each. the supervision of local units was entrusted to Hospital Committees including representatives of adjacent municipalities, members of District Councils and selected residents of the neighborhood chosen by the elected Circle Boards. Funds for maintaining such institutions were assigned by the central Government agencies and by the District Councils. The Government also subsidized the work of medical men outside hospital areas, and even attempted to train native Burman herbalists, who alone were available for rural areas, in the rudiments of effective medical practice.<sup>28</sup>

7. The Land Revenue Department. The principal revenue authority in Burma was the Financial Commissioner. Under him were seven divisional Commissioners who controlled the collection and general administration of land revenues in their respective areas.

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28 Ibid., pp. 84-92

Cultivators were liable to two forms of taxation: a levy on the land itself, usually covered by rental payments thereon; and a direct personal levy.

The tax assessed against the land was based upon the recommendations of the sub-department of Settlements and Land Records. Every twenty years or so each district was subjected to a comprehensive Settlement Survey covering detailed boundaries of holdings, ownership, and occupancy of land, and including data on soil fertility, production costs, output, and rental values. The surveys sometimes required two or three years for completion, so that four or five might be going on simultaneously in as many districts.<sup>29</sup> A special branch of the Settlement service also kept pace with newly settled areas.

On the basis of Settlement findings, Local Government authorities "notified" rates of land taxation at so much per household for each locality of the district, which would fix the tax norm until the next periodic survey was made. The average tax rate per household varied, therefore, from village to village. The annual assessment roll was arrived at by multiplying the number of households in each community by the average rate as previously fixed. Local assessors, called Thamadis, distributed the total burden among the owners of land as equitably as possible. The tax was actually levied against the land

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29 A survey party might consist of one chief officer, three assistants, ten inspectors, plus clerical staff.

itself, not against the households.

The Lands Records Division preserved the maps and registers of holdings prepared by the periodic Settlement surveys, kept the original surveys up to date, and calculated annual assessments. This Division included a superior branch centered at Rangoon for the country as a whole and a so-called inferior branch functioning separately within the several districts. The latter branch employed some 200 Inspectors, 2,100 surveyers, and requisite clerical and other assistance.<sup>30</sup> In areas of shifting hillside (or taungya) cultivation, a direct levy per household was collected.<sup>31</sup>

The collection of the direct levies -- the capitation tax in Lower Burma and the roughly corresponding thathameda tax in Upper Burma -- presented greater difficulties. The capitation tax was five rupees for married men and half that amount for bachelors, aged 18 to 60. It was not collectable from government servants, school teachers, and ministers. The thathameda tax derived from the old Burma Kingdom. It was levied on personal incomes gained from sources other than agriculture, and was theoretically partial to the cultivators. But nearly all Upper Burma farmers enjoyed some form of supplementary income and were obliged therefore to pay the levy.

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30 Ibid., XI, pp. 175-76

31 Ibid., XI, p. 166



Direct taxes were a grievance common to practically every Burman family, and public opinion during the thirties demanded immediate and outright repeal. Revenue officials were not opposed to altering the methods of tax assessment or to substituting other forms of taxation to secure equivalent income. But District Councils declined to work out an alternative system, as they were empowered to do.<sup>32</sup>

The Land Revenue Department also included the Rangoon Development Trust and the Town Lands Service for municipalities other than Rangoon. These agencies revised town land rents, constructed new roads, planned for acquisition and utilization at reasonable prices of new sites for extension purposes, and promoted real-estate development.<sup>33</sup>

A final section of the Land Revenue Department was concerned with the so-called Government Estates. The department enabled a number of colonizers of newly opened lands to avoid the clutches of the money-lender by making them direct tenants on Government Estates. The revenue realized from the Estates was systematically put back into improved roads, bunds, and other facilities, while rental levels kept pace with progressive improvements. Agricultural credits were available to keep bona fide agriculturalists on such land.

The Government Estates were administered by a high-ranking Civil Servant, assisted by a Superintendent of Land Records and several score

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32 Ibid., pp. 167-72

33 Ibid., pp. 177-78

aides.<sup>34</sup> The program was highly commendable but comprehended only a small fraction of the 100,000 or more acres of new land brought annually under rice cultivation.

8. The Registration Department was responsible for recording and preserving official documents. Deputy Commissioners were ex officio Registrars. Special sub-Registrars were assigned to the larger district offices. The Secretariat personnel was largely clerical in character.<sup>35</sup>

9. The Forest Department guarded Burma's vast timber resources. It managed directly some 28,000 square miles of "reserved forests" and protected the teak trees in the "unclassified forests," some four times greater in extent. Teak extraction accounted for about 30 percent of the gross logging tonnage and produced almost all of the department's annual profits of Rs. 100,000. The department itself extracted and sold about 20 percent of the annual teak output and five European firms contributed 45 percent of the gross revenues in the form of royalties. Private Burman extraction was encouraged, but it was a minor phase of the less remunerative operations. Native interest centered in access to bamboo, thatch, cane fibers, and grazing facilities available in the forested areas. The department promoted access to hardwood resources by constructing cart roads.

The Forest Minister's responsibilities overflowed the bounds of the

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34 ISCR, XI, pp. 178-80

35 ISCR, XI, pp. 76-78

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department so widely that he probably had little if any influence on routine administrative procedure.<sup>36</sup>

10 and 11. The Public Works Department (PWD) was divided into two independent operating units: the Roads and Buildings branch and the Irrigation branch. Administrative policy attempted to make the first branch more or less responsible to popularly elected agencies, whereas the second was a purely technical service.

The scope of operations of the Roads and Buildings branch was delimited by two sub-units: a Communications Board and a Buildings Committee. The Communications Board included twenty-three members, sixteen of whom were elected by the central Legislature and five nominated by the Governor. The other two were the Finance Minister, who was the ranking member and headed the sub-Committee on Roads; and the Forest Minister, who presided over the Committee on Buildings.

The Board as a whole initiated projects, scrutinized proposals brought to it, approved lists of new works to be entered under the estimates of expenditures, and gave financial sanction for those approved. The expenditure of monies granted by the Board for local road maintenance was directed by the elected Councils of the several Districts whose general operations will be described below. Such funds were often wasted, for the Councils were subjected to popular pressure in behalf

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36 ibid., pp. 18, 54-62



of unwise ventures and for increased use of Burman labor and engineering talent without regard to efficiency standards.

The Buildings Committee of the PWD included eight elected members from the Legislature, the Finance Minister, and the Chief Engineer for Buildings and Roads. It granted financial sanction for worthy proposals, subject to the approval of the Finance Minister. All projects costing Rs. 10,000 or more came under its scrutiny.<sup>37</sup>

The Irrigation branch of the PWD maintained irrigation works and collected water rates for the use of canal water; operated three ship canals, the Pegu-Sittang, the Twante (Rangoon to the main Irrawaddy channel), and the less important Shwetachaung canal; and kept up embankments and drainage facilities.

The personnel of the Irrigation branch (around 150 all told) was exclusively engineering. Operation expenditures exceeded by one million rupees the tolls and rates collected. Major items of expense were for administration, dredging, excavation and bund construction, and the operation of launches. Special committees of the department studied long-term problems of flood control and irrigation development.<sup>38</sup>

12. The Fishery Department was really a part of Burma's revenue system for it realized almost five million rupees net income annually. Fishing leases were disposed of on the basis of tendered premiums above a fixed basic rental, and were kept in order by a Fisheries Settlement

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37 ISCR, XI, pp. 92-99

38 ISCR, XI, pp. 189-197

officer. Village headman collected fees on a commission basis for the use of fishing instruments such as nets and for placing fixed obstructions in streams. The department served an important regulatory purpose, since excessive fishing operations tended to clog drainage channels and cause flooding of cultivated areas.

The work of the department was supervised by some fifteen Fishery Inspectors, each of whom was given a monthly boat allowance. In districts where the work was heavy, officials recruited from the subordinate civil service known as Inkunwuns (seven in all) were put in charge of revenue and clerical work. Rangoon Town District had a special fishery officer.<sup>39</sup>

13. The Agriculture Department operated fourteen experimental farms. Burma proper, excluding the Shan States, was divided into nine agricultural Circles, each of which contained at least one central farm with a Deputy Director in charge. The farms were largely devoted to the improvement of seed rice and one was devoted to selective stock breeding, mostly cattle. The department also encouraged cotton raising and sericulture.

Public interest in the department was lacking. The attention of the Burman agriculturalists was focused primarily on the necessity of reducing their indebtedness and were little interested in the improvement of seed rice. Agricultural officers did little touring of the

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<sup>39</sup> ISCR, XI, pp. 100-103

districts. The department maintained an Agricultural College at Mandalay but had trouble in enlisting qualified students. Personnel recruitment within the department was difficult.<sup>40</sup>

14. The Cooperative Department contributed to Burma's agricultural needs by sponsoring a program which afforded communities easier access to banking facilities through a joint pledge of collective security for their loans. Over 5,500 local societies with 156,000 members were enrolled at the peak period in 1924-25. Each Society was responsible for collecting periodic installments owed by its members and for maintaining its credit with the bank. Above the local societies were the nonefficial District Agriculture and Cooperative Associations and the Burma Provincial Cooperative Council, which were supposed to reenforce the work of the cooperatives by heading up a countrywide promotional and educational program.

The undertaking foundered on the rocks of inexperience, inadequate supervision, and irresponsibility. Nearly all of the local societies operating in Upper Burma in particular, eventually defaulted and were forced to liquidate their assets. Defalcation during the middle twenties averaged 3/4 of a million rupees per year.<sup>41</sup> A considerable number of the defunct societies were salvaged by a revived effort during the late thirties.

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40 Ibid., XI, pp. 114-122

41 ISCR, XI, pp. 78-82

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The size of the Secretariat staff of the Cooperative department varied with the extent of the operations in progress at a particular period. The head of the department, the Registrar, had one or more full-time Joint Registrars plus the part-time assistance of the head of the Colonizing department and the Superintendent of Cottage Industries. Twoscore Assistant and Junior Assistant Registrars completed the roster.<sup>42</sup>

15. The Veterinary Department was handicapped by lack of public interest and by shortage of trained personnel. The nearest veterinary school was at Calcutta. The department's own school at Insein carried the course only three years beyond the high school level and attracted only some forty students annually even though monthly stipends were provided. Village headmen could be persuaded to care for the superior stock colts bred by the department.<sup>43</sup> The visitation of cattle disease which followed Japanese conquest underscores the importance of the preventive operations of the department.

16. The Excise and Opium Department controlled the traffic in alcoholic liquors, opium, morphia, cocaine, and other drugs. A state monopoly of the liquor and drug trade attempted to reduce native consumption. Liquor sales to Burmans were limited to one bottle at a time, and high prices also discouraged consumption. Excise revenue nevertheless increased steadily. Opium sales to Burmans were restricted

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42 ISCR, XI, pp. 83-84

43 ISCR, XI, pp. 123-127

to those registered as addicts in or before 1903. The drug could be bought only from a licensed vendor. The non-Burman purchaser had to show a consumer's ticket granted by the Resident Excise officer on the presentation of bona fide credentials. Licit opium sales fell off steadily, but the illicit demand and the high price of the drug encouraged smuggling. Much of it came southward from the China border, and strict watch for smugglers was maintained along both railways and highways. The average yearly seizure from 1924 to 1927 was 369,000 tolas. The opportunity for remunerative connivance in illicit opium traffic probably accounted for its control being assigned to the more responsible Finance Minister, whereas the major functions of the excise department were supervised by the Forest Minister.<sup>44</sup>

17. The Local Fund Audit Department was a vital part of the centralized Local Government authority. It was responsible for the audit of the Local Funds of two-thirds of the Deputy Commissioners, the accounts of all the District Councils and the District and Joint School Board funds, 115 Hospital funds, more than 200 Anglo-Vernacular school funds, and the funds of the bailiffs of the District Courts who acted as receivers in insolvency cases. In 1929 the staff consisted of an Examiner, three Assistant Examiners, fourteen Divisional and Senior Auditors, and sixty-two Auditors.

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44 ISCR, XI, pp. 64-76

The work of the department was highly unpopular. It checked the wisdom, expediency, and authorization of expenditures of public funds, but very little attention was paid to the evidence of fraud and malfeasance annually unearthed. Public opinion was apathetic and local agencies were universally hostile to minute scrutiny. The predominantly European personnel of the department<sup>45</sup> lent color to the popular allegation that the primary objective of the audit was to expose Burman governmental incapacity. Political feeling thus largely cancelled out the possible gains that might have been realized from the painstaking work of the department.

18. The Labor Department was organized in 1923 to collect information regarding wages, the cost of living, and conditions of labor. The undertaking aroused little official enthusiasm and the Burman political leaders who sponsored it lost interest when left-wing Indian members of the legislature proposed that the department spend its time investigating Indian labor recruitment practices, wages, housing, and passage facilities for deck passengers from India.<sup>46</sup> The department languished for lack of financial support, and statistics collected on labor conditions and unemployment were rudimentary.

19. The Educational Department was concerned mainly with the control of the Anglo-vernacular school system and to a lesser degree with

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45 Ibid., pp. 244-246

46 Ibid., pp. 187-89



vernacular primary and middle schools. Institutions whose standards were sanctioned by formal inspection were approved for governmental grants-in-aid. Financial assistance to the so-called National Schools was available on the same terms, but they usually failed to meet the standard set by the department. The Monastic Schools suffered most of all from disregistry for they refused to allow the government any part in their control.

After 1923 the funds for rural vernacular schools were placed under the control of the District School Board, an agency of local self-government. Public interest in vernacular education revived under this stimulation but more schools were authorized than could be adequately supported. Perhaps one-half of the children of school age from five to eleven years were not in attendance at school at a given time. Many students left school at the age of eight or nine years.<sup>47</sup> The grant-in-aid system tended to emphasize Anglo-vernacular training, so that the higher levels of the educational program contributed primarily to the training of Civil Service candidates.

20. The Department of Industry, administered by the Superintendent of Cottage Industries, promoted such native handicrafts as pottery, lacquer ware, and textile manufacture. A weaving institution was maintained at Amarapura. The department also managed the Government

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47 Ibid., pp. 135-54

Technical Institute which conducted classes in blacksmithy and carpentry. Cooperative societies of artisans sometimes received substantial loans from funds of the department to assist in distributing the products of cottage industries. The department arranged for the annual "arts and crafts" exhibit at Rangoon, where examples of painting, carving, statuary, lacquer work, and weaving were displayed.

An industrial Finance Committee, made up largely of members of business groups and political nominees of the Governor, submitted an annual report covering the types of encouragement that might wisely be extended to new industrial ventures. The net result was the development of facilities for the teaching of bookkeeping and commercial arithmetic and for the production of salt, sugar, and paper. The department did not encourage medium or heavy industry or the large-scale manufacture of staple consumers' goods.

21. The remaining six departments of the Burma government had little or no bearing on the administration of local affairs. A Factory Department inspected several hundred rice mills and salt mills. There were also the Department of Provincial Marine, the Department of Archaeology, the Stamps Department, the Boilers Department, and the Government Press Department.

#### D. The Central Legislature and the Ministers

The elective aspects of the central government, lodged in the Legislature and the nine Ministers of State, only indirectly affected

local government. The Ministers distributed among themselves the multifarious aspects of the twenty-six administrative departments,<sup>48</sup> but seem to have interfered very little with the routine established by the career civil services. Civil Service selection of personnel restricted the patronage available to the Ministers which aggravated the tendency toward petty corruption as a means of paying their political debts. Contact between the central Legislature and local administrative agencies, as in the Public Health, Education, and Public Works Departments, was effected through election of individuals by non-official members of the House of Representatives to places on the various Boards and Committees concerned.

Suffrage rolls for the election of Representatives were drawn up by the township Myooks on the basis of payment of specified taxes. The Deputy Commissioners were the revising authority for the electoral rolls and also the officers responsible for authenticating election returns.<sup>49</sup> Ninety-one of the 132 constituencies for the House of Representatives were reserved for the Burmese-speaking group. The Karens had twelve communal seats, the Indians eight, Europeans three, the Anglo-Burmans two, the University one, business interests eleven, and labor four.<sup>50</sup>

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48 Ibid., pp. 38-51

49 ISCR, XI, pp. 257-58

50 F. Leach, The Future of Burma (Rangoon, 1936) pp. 57-59



Half of the 32 members of the Senate were elected by the House and half were nominated by the Governor. The property qualifications were high and proportional representation of various groups was maintained as far as possible. The Senate had virtually no powers which impinged on matters of local government except those connected with general legislation.

III. LOCAL GOVERNMENT AGENCIES

A. The Village Headman

The British legally established the office of village headman, or thugyi, around 1890, following the pacification of Burma. It was an attempt to institute community responsibility for government through a uniform system of village organization.

The headman's duties as a government official became fairly onerous. As petty magistrate and preserver of the peace he was assisted in Lower Burma by "ten-house gaungs," one for every ten households, who acted as amateur police and defenders of the village against robber bands. The unpaid gaungs were at best highly inefficient helpers and the major burden focused on the thugyis. As magistrate the headman could punish his villagers for not assisting him in discharging his duties. He participated in the assessment of local land taxes (through the thamadis) and received a 10 percent commission on all revenues he collected. He recorded vital statistics, maintained the inter-village roads within his tract, and was responsible for prevention of cattle disease. He greeted all visitors and attended to the needs of traveling officials. Headmen were not often so conscientious as to impair their local prestige, and their economic status contributed to their social influence. The government encouraged good performance by punishing (by reprimand, fine, or outright dismissal) those derelict in their duty and by rewarding any who performed conspicuous service.

The principal defects of the village headman system were its inefficiency in administrative work and its failure to enlist genuine community participation in governmental affairs. Standards of performance varied widely. The village tract was too small a unit to cope with organized crime, and dereliction of duty on the part of a minority group could have a demoralizing effect. Few headmen were foolish enough to invite trouble with disorderly elements who operated outside their specific bailiwicks. A criminal-dominated village could intimidate its neighbors and virtually escape all indigenous social or legal control. The practice of balancing the risk of inciting criminal elements against that of incurring official censure created a presumption in favor of inertia. If a favorable opportunity arose, headmen might attract attention to themselves for gallantry, but police reports since 1900 are filled with stories of their apathy and downright dishonesty. The situation was at its worst in newly cultivated areas of the delta, where social cohesion was lacking.

Public hostility to the office of headman developed during the political agitation of the twenties and thirties. The government refused to allow headmen to participate in popular discussion of political questions which contributed to the Burmans' natural lack of enthusiasm for his role as policeman and tax collector. This emphasis upon the official, non-political status of the thugyi at a time of rising nationalist sentiment robbed communities of conservative leadership and



opened the field for agitators to challenge governmental control in its most elemental aspects. Local Government refused to allow the Legislative Council to make the office of headman elective or to permit the shifting of responsibility to elected village committees. The thugyi system, even though faltering, was indispensable to the established scheme of bureaucratic control. The trend of official policy was to reduce the number of headmen by consolidating adjacent tracts, and thus increase the average annual compensation from tax collections.

During the 1930's, the increase of popular hostility toward the police services weakened the headman system. An official investigation in 1938 attested to the "impenetrable barrier of prejudice, suspicion, and distrust which separates [the police] from all classes of the people.<sup>51</sup> Political attacks on the police in the Legislative Council and persistent vilification in the vernacular press were concomitants of the rising tide of lawlessness. Opposition to alien rule found expression on the village level in disrespect for police authority. The exposure of the village headman to such currents of local opinion inevitably impaired his own efficiency as an officer of the law. In the riots of 1938, which were directed primarily against the Indian population but which were politically motivated, village headmen forgot their official obligations. Many of them abetted the disorder or actually led the rioters. The Burman population generally did everything in their

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51 Final Report of the Riot Inquiry Committee (Rangoon, 1939), pp. 225-27

power to protect the rioters from punishment.<sup>52</sup>

In the effort to carry out the dual functions of the government representative on the one hand and the village leader on the other, the headman by 1940 had fallen between the two extremes. The only feasible alternative was to consolidate his position as conservative local leader and to relieve him of police and magisterial duties except with regard to civil matters and defense of the local community. For purposes of enforcing law and order the thugyi system had become a broken reed.

#### B. Elective Aspects of Local Government

1. The Municipal Councils. The first Municipal Councils in Burma were appointive in character, and date from the Municipal Act of 1874. They developed not from any indigenous demand for local self-rule, but from the insistence of European residents that natives be granted the opportunity for initiative in improving living conditions. At the outset councils supervised the maintenance of streets, lighting, markets, police protection, and water supply. Eventually their authority extended to vernacular education, conservancy, building regulations, road and bridge construction, vaccination and slaughterhouse inspection.<sup>53</sup> In the 1920's, positions on the Municipal Councils became elective, and residents were enfranchised on a property or taxpaying basis. In order

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52 Ibid., pp. 269-70

53 ISCR, XI, pp. 457-60

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to finance improvements, municipalities assessed real estate for taxing purposes and collected specific levies on boats, carts, and elephants, as well as dispensing license fees of all kinds.<sup>54</sup> Meetings at first were held every month but eventually every two weeks.<sup>55</sup>

Municipalities were not completely self-governing, and were under the Local Government authority of the central Secretariat. Local Government granted all municipal charters, approved the by-laws drawn up by each community governing the conduct of municipal affairs, and supervised Rangoon's administration directly. In the districts, the municipal police were paid by Local Government and the various Commissioners and Deputy Commissioners were empowered to intervene in the affairs of municipalities of their respective areas to preserve the peace and to protect the public interest. Any such emergency action had to be reported immediately to Local Government. The Commissioners were also responsible for keeping the operations of the Committees within the law, especially for keeping expenditures within the budget. Local Government might dissolve any Town Committee for cause or require to perform a specific duty at Committee expense.<sup>56</sup>

At the end of the 1920's there were fifty-eight municipalities. The Rangoon Corporation had thirty-four members, five of whom were appointed. Other municipalities averaged less than half that number,

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54 British Burma Gazetteer, I, pp. 493-94

55 ISCR, XI, p. 460

56 ISCR, XI, p. 457-60



approximately one-fifth of whom were either nominated or co-opted. Bhamo had a special Committee in connection with the operation of the caravan route to China. A full description of the suffrage rules, methods of voting, and requirements for membership on Municipal Committees is available in the Simon Commission Report. In fifteen additional "notified areas" certain sections of the Municipal Act applied. The latter were administered by Town Committees appointed by Divisional Commissioners.<sup>57</sup>

Standards of Municipal administration left much to be desired. Proposals for improvement of urban amenities usually ran into strong objection from the elected Committees on grounds of cost. The people generally preferred to do without the novel and expensive schemes, which seemed to meet European rather than Burmese desires.<sup>58</sup> Taxes were raised during the 1920's, but in the face of popular opposition and apathy<sup>59</sup> little headway was made toward establishing modern municipal administration. Even though Local Government offered to pay two-thirds of the cost of waterworks installations, there were few responses. Sewage disposal facilities did not improve. Inspection of public works contracts was grossly inadequate, and embezzlement and defalcations flourished.<sup>60</sup> Committees were careless in hiring employees and rarely inflicted punishment for maladministration even when fraud or loss of revenue was reported. The citizens frequently

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57 Ibid., XI, pp. 454-56

58 Leach, op. cit., p. 96

59 ISCR, XI, pp. 462-65, 581

60 Ibid., XI, pp. 465-66

complained, but failed to use their elective power to place more responsible men on the Councils. Corporate vitality was lacking in the operation of an essentially alien governmental system.<sup>61</sup> A greater response might have been elicited by better educating the people to appreciate and to realize needed improvements.

2. The Rural Self-Government Scheme of 1922. As a representative counterpart on local level of the dyarchic scheme for Burma's central government, the Rural Self-Government Act was passed in 1922. Twenty-eight District Councils were set up. Seven of the more backward districts were not included under the scheme. The general program of Governmental Reform followed in 1923.

Members of the District Councils were chosen by indirect election for a three-year term. Village tracts were grouped arbitrarily into electoral units for the selection of Circle Boards. Sometimes there was one Board to a township, sometimes as many as three, depending on the topography and the size of the population. Backward village tracts in a number of Council districts remained under the direct administration of the Deputy Commissioner. Each Circle Board in turn elected from its own group one or more Council members, up to a total of twenty to twenty-five for the district. Councils co-opted three or four official members, including usually the district Executive

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61 Ibid., XI, pp. 465-66

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Engineer, the Civil Surgeon, and a Veterinary officer.<sup>62</sup> Councils met eight or ten times a year to vote appropriations from funds turned over to them principally by the Deputy Commissioners. The district officials were too busy to undertake direct supervision, and oversight from the central authorities was exercised most ineffectively by the Minister for Local Government, assisted by an advisory board of ten men chosen by the elected members of the Legislature. Council members served without pay.

The responsibilities of the Councils included the maintenance of health services, the upkeep of the secondary roads, the promotion of vernacular education, and the operation of the ferry services and waterways. Their work on the whole was highly inefficient. Councilors begrudged the hiring of unpopular vaccinators and veterinary assistants. They were indifferent to the sanitary inspection of markets, cattle pounds, and slaughterhouses. The Public Works Department actually kept up the most important local roads and waterways, receiving compensation from the Council's funds. The Deputy Commissioner usually collected the fees for the use of the ferries.<sup>63</sup>

Most of the Councils' expenditures went to education and to minor public works. District school boards consisting of ten to twelve members of the Council itself, and cooperating with an officer from the educational service, authorized and inspected vernacular schools

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62 Burma Gazetteer, Maubin District, Vol. A (Rangoon, 1931) pp. 95-98; Ibid., Mandalay District, Vol. A, (Rangoon, 1928) pp. 212-14; Thaton District, Vol. A, (Rangoon, 1931), pp. 93-95

63 ISCR, XI, pp. 431-37, Mandalay District Gazetteer, Vol. A, pp. 212-14



within the district. The unfortunate results have already been described. The funds spent for public works were usually squandered on unneeded roads and buildings.<sup>64</sup>

The basic reason for the low morale and inefficiency of the Councils was that they had no public support. During the 1920's nationalist groups called them "Dyarchy Councils," and systematically boycotted Circle Board elections. Only 6 percent of the eligible electorate voted in 1925, an average level. As a result, membership on Boards or Councils carried no prestige, nor was it remunerative. In fact, Council posts often went begging, so that the Deputy Commissioners had to fill them by appointment. Village headmen, often the natural leaders of village tracts, were disqualified for elected membership on the Councils on the ground that they were officials. They were eligible for appointment to unfilled vacancies. Personal interest rather than general welfare usually motivated the councilors, especially since they did not feel responsible to the public.

The District Council system was also unwieldy from an administrative point of view. Councils jealously kept all district funds under their control and refused to delegate any functions to the Circle and village representatives, which the authors of the plan had expected them to use. The Circle Boards usually met only a few times a year and occasionally made contributions to the health program, but

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64 Royal Institute of International Affairs, United Kingdom Paper No. 1/B, p. 7

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they were largely inoperative, except as an electoral agency. The village committees contemplated by the scheme existed in name only. Even if no other difficulties had existed, a district was too large a unit for effective local administration. The local government administration was universally conceded to be a failure.<sup>65</sup>

In 1923 Burmese nationalist leaders were blocked in their effort to establish local responsibility for self-government at the village level. They proposed that headmen should be elected rather than appointed, and should be liable to removal by vote of the local residents. Elected Village Committees would assume the final responsibility for carrying the duties previously assigned to the headmen. The proposal was rejected by the authorities as a deliberate attack on the government's authority, likely to destroy the entire basis of local administration.<sup>66</sup> Village committees elected for five-year terms were finally provided under the Burma Village Amending Act of 1924, but they were only to advise the headman and to assist him in petty judicial matters. The headman served as chairman of the committee and was responsible exclusively to the Government for the performance of his duties. Consequently popular participation in local administration was virtually nil. The people rejected the district Council scheme and Government would not concede local political responsibility on a village basis.

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65 ISCR, XI, pp. 422-36

66 Ibid., XI, p. 274

#### IV. GOVERNMENT OF BURMA UNDER JAPANESE OCCUPATION

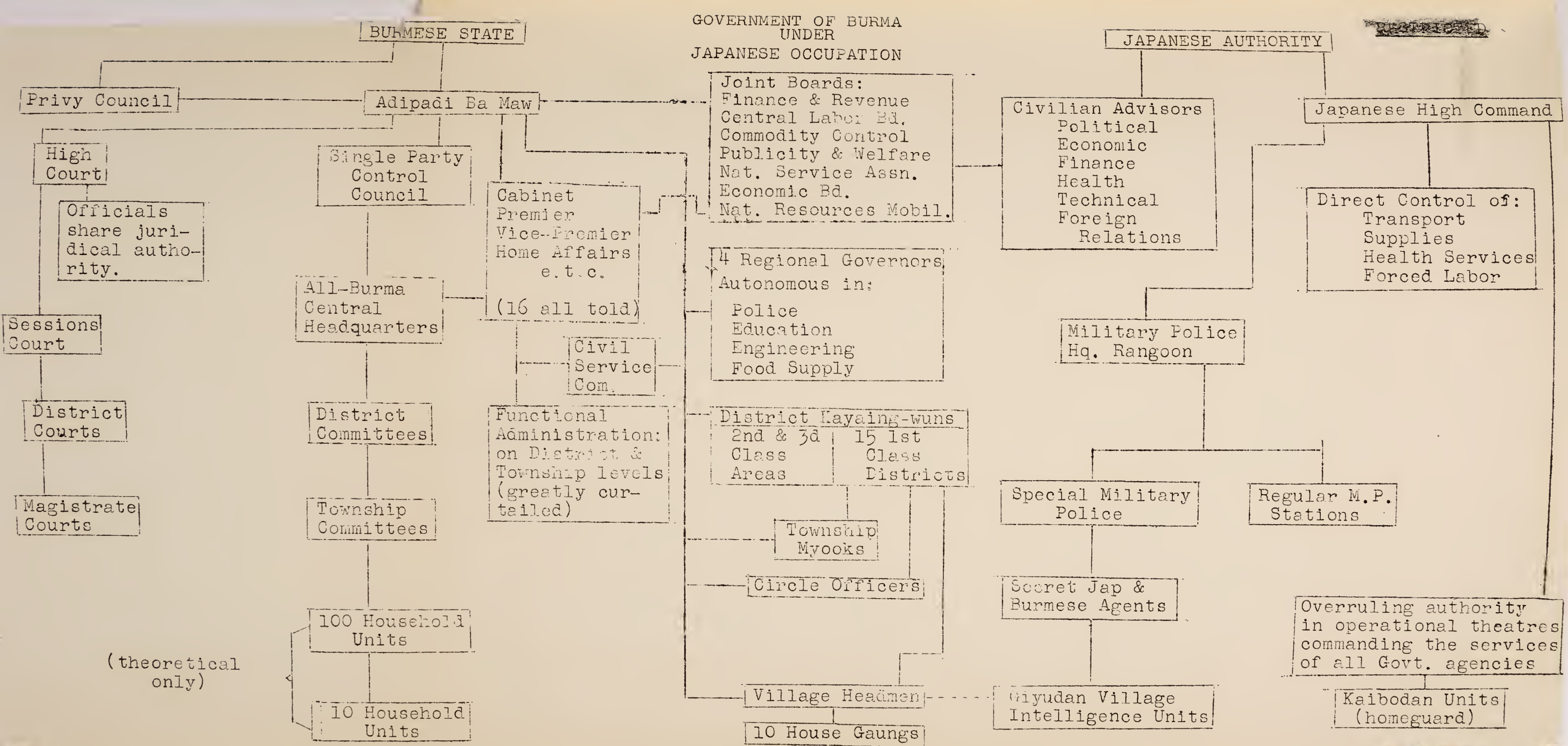
##### A. The Structure of Burmese Administration

Burma's administrative system under Japanese occupation differs from the previous system only in details. The Adipadi became the symbol of authority in place of the Governor. The Cabinet Ministers, numbering sixteen as opposed to the previous nine, became the actual administrative heads instead of political figureheads. The boundaries of the thirty-odd districts remain the same although a half dozen names were changed. The same can probably be assumed for township and village tract subdivisions. A Kayaing-wun takes the place of the Deputy Commissioner in charge of a district, while Myooks and village thugyis are unchanged. Circle officers may have been added. The Burmese judiciary, following the British pattern, remains theoretically independent of political control, except in matters affecting military security or political offenses. The seven regional Commissioners were matched in the spring of 1944 by four regional Governors.

Nothing in Ba Maw's regime takes the place of the old Legislature. The Privy Council selected in 1943 has been consulted several times on budgetary matters as well as on considerations of general policy. But the government acknowledged responsibility only to the Dobama-Sinyetha party of Ba Maw and the Thakins. Paralleling the regular administrative hierarchy at the outset was a political control system.

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designed to check the activities of distrusted government officials, many of whom had been carried over from the British regime. These "political commissars" were frequently Thakin youth with no administrative experience, or members of the East Asia Youth's League acting as a kind of vigilante body. They became exceedingly unpopular with their elders.

Since 1 August 1944 the Maha 'Bama Asiayone (Greater Burma Association) has displaced the original party group in an attempt to bridge the chasm that had developed between the Burmese people and the self-appointed arbiters of their political destinies. But the central Council of the new organization is appointed from the top, and it selects in turn the Working Committee. The function of the party system throughout has been not to ascertain public opinion, but to secure popular acceptance of government policy.

The most significant departure from the older administrative structure was the introduction early in 1944 of the system of four regional divisions centering at Mandalay, Bassein, Rangoon, and Taunggyi, as a means of developing a larger measure of local self-sufficiency both politically and economically. Each area was theoretically autonomous in matters affecting police control, education, public works, and food supply. Local control was further extended by authorizing the Kayaing-wuns of fifteen first-class provinces (districts), selected on the basis of strategic importance, to appoint



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and dismiss civil service personnel. This obviously weakened the power of the central government both administratively and politically, but mollified provincial sentiment.

B. Japanese Participation in Government

Japanese control of Burma's governmental affairs has operated at two widely disparate levels. At the upper strata of administrative authority are the Japanese advisers in the fields of foreign relations, military collaboration, finances, commodity control, and agricultural reform. At the lower level is the direct interference of the army in questions affecting the war. Military control has been most evident in communication and transport, in the prevention of epidemic diseases, in checking flagrant lawlessness, and in the development of an elaborate system of intelligence and counter-espionage.

The top Japanese advisers are Ambassador Sawada on political and foreign affairs, and Dr. Ogawa on economic matters. Japanese control of Burma's finances through domination of the Finance and Revenue Board is well-nigh complete. Two Japanese bankers share the direction of the Burma National Bank. Japanese advisers sit on the Central Labor Board and played a leading role in recruiting the Labor Service Corps, or Letyon Tat. They also have their own Commodity Control Board paralleling the Burman one; decisions in this connection are arrived at apparently through negotiation. Japanese control of all modern transportation facilities.-- railway, motor transport, and river steamer -- gives them wide authority over distribution of all

consumer goods. The government's corresponding Transport Bureau must limit itself to mobilizing ox carts and country boats for the distribution of food and supplies. Other government Boards on which the Japanese have membership concern Publicity and Welfare, the National Service Association (for civilian mobilization), the Economic Board, and the National Resources Mobilization Board.

Japanese policy has been to extend their advisory control. They have tried to take advantage of Burma's economic and administrative difficulties to introduce a full system of technical advisers under Ogawa's direction. Indigenous authorities are resisting on the ground that what Burma needs is goods and shipping facilities rather than alien administrators. The tendency of Japanese advisers to supplant the Government's authority is one of the most serious points of friction between Ba Maw's regime and the Japanese.

The agency of Japanese control in local affairs has been the Gestapo-like Military Police, a highly centralized organization responsible only to the army. Detachments of ten men assigned to a specific area must report directly to headquarters at Rangoon. A Special Service section of the Police is responsible for safeguarding peace and security among the Burman population. Members of the Special Service are taught Burmese and don local dress so as to pass as Burmans and circulate freely. They hire renegade Burman informers, distributed approximately two men to a square mile, to ferret out all evidences of

local disaffection and to report the presence of allied military or intelligence personnel.<sup>67</sup> The Police have been guilty of extreme cruelty in the treatment of suspects reported to them. The civilian population is, therefore, thoroughly cowed. Domination of the dread Military Police in local affairs diminishes in proportion to the distance of a given area from military installations or theaters of operations.

In theaters of military operations, the army usurps control. Headmen are obliged to furnish laborers and supplies on demand of the Japanese under threat of dire consequences. The responsibility for village conduct is broken down into smaller twenty-five-house, ten-house, and five-house units. The five-house gaung was required to check each night on the presence of every member of the households assigned to him. Uncooperative headman were subject to removal at the whim of the military. The Japanese also organized armed home guard units, called Kaibodan (literally "coast guard"), in appropriate areas. Local intelligence units appeared within the villages, called Giyudan.

C. Local Government under Burmese Administration

1. Official Governmental Structure. Local government operates, as under the British system, around the two foci of the district Kayaing-wun and the village headman. The former is responsible for the collection of taxes within the district, for civil police operations

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67 OB 15946, JIRAC, Summary #99; OWI Report, 15 June 1944

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for the maintenance of health services, and for general administrative oversight. Wartime obligations frequently take precedence over routine matters, however. The Kayaing-wun is subject to the demands of the authorities to provide requisite coolie and transport facilities. He distributes civilian food supplies and other necessities and enforces price controls and rationing regulations. In this he is assisted in urban areas by so-called Neighborhood Associations operating under the National Service Association. Ten-house units are organized under Hmus (leaders); above them are one hundred-house Hmus and Ward Hmus. The Kayaing-wun must also cooperate with local communities in establishing peace preservation committees. He must attempt to carry out all government policies with respect to war mobilization, agricultural adjustment, and general cooperation with the Japanese military operations.

Performance has lagged far behind expectations. Many district officials appear to have done nothing beyond what immediate urgency demanded. The generally poor pay of the administrative officials, aggravated by spiralling prices, left them susceptible to all varieties of temptation. Subordinate officials of the civil service, carried over from British rule, were suspected by the nationalist party enthusiasts of favoring Britain's return, and the meddling of Thakin political agents left all administrators uncertain as to how much political support they actually controlled. Corruption abounded. At various times the administrative system, including the courts,

threatened to break down completely. Since the political monopoly of the Thakins has been broken, the district Kayaing-wuns have tended to become political powers in their own right. Local authority is more widely represented under the new Maha 'Bama Asiayone party than formerly.

The village headmen were presumably still responsible to the regular authorities for the traditional services connected with tax collections, village defense, the entertainment of officials, the settlement of petty disputes, and the maintenance of inter-village transportation. But the discontinuance of tax collections eliminated the headman's source of compensation. Local fees collected for ferry services, irrigation, forestry and fishing privileges are probably retained in large measure by the headmen. The Neighborhood Associations do not appear to be functioning outside certain urban areas where rationing and price control have been imposed, although the Maha 'Bama Asiayone of August 1944 contemplated organizing them everywhere. Where the local administrative officials and police officers do not afford adequate protection from lawless elements, the headman might well think it wise to purchase immunity for his village by paying blackmail to the leader of the neighboring criminal band. Government services are on a minimum basis.

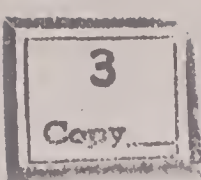
## 2. Increasing Influence of the Pongyis

The discontinuance of so many aspects of government services and supervision has thrown local communities back on their own resources

This factor, plus the threat of destructive alien influences, would inevitably operate to increase the importance and prestige of the local pongyi. He would become, as of old, the teacher of youth and the counselor of the elders. In the midst of the general disintegration of Burmese society, distraught by war, threatened with economic ruin, betrayed by an inefficient government, bullied by local criminal bands, the ancient religious tradition will have become the only element of stability remaining to the people. Because popular reverence of the monks makes them unassailable either from the Japanese or the Government, they have apparently become the rallying point of opposition factions to the existing system of control. It is significant that the first move of the Maha 'Bama Asiayone was an attempt to placate Buddhist sentiment by proclaiming the preservation of Burma's religious heritage as the primary objective of the war. Any revival of genuine social control in the immediate post-war period would quite certainly lean heavily on the village headmen, assisted by elected village committees, supported by the moral authority of the non-political Buddhist monks.







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U. S. OFFICE OF STRATEGIC SERVICES  
Research and Analysis Branch

R & A No. 1714

*U. S. Dept. of State, Office of Intelligence Research*

THE GOVERNMENT AND ADMINISTRATION  
OF MALAYA UNDER THE BRITISH

Description

A brief study of the British Govern-  
ment in Malaya, including the history,  
problems, and key points in the adminis-  
tration.

July 1945

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### SUMMARY

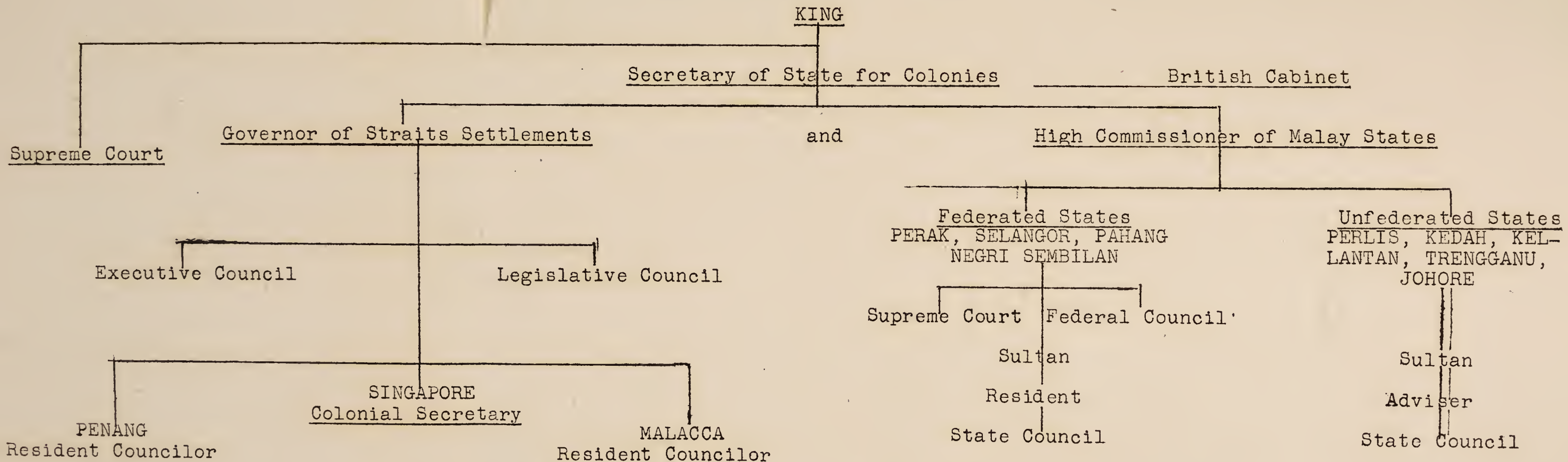
The government of Malaya under the British probably has no parallel in the Empire. British officials, called Residents and Advisers, were appointed to advise the native rulers of both the Federated and Unfederated Malay States. Actually the Europeans soon held the reins of government, creating the situation of a foreigner controlling the state and a native sovereign occupying the throne. The Straits Settlements, on the other hand, followed the normal pattern of a Crown Colony.

The key men in the administration of Malaya were the district officers and the Penghulus or village headmen. They were responsible for the basic functions of government and, what is more, contact with the populace. The success of these men, particularly the District Officers, in running their districts and parishes actually determined the efficiency of the Malayan Government as a whole.

The British government and administration of Malaya, prior to the Japanese occupation, are briefly outlined. More emphasis is placed on the historical developments than on the details of administration in an attempt to show how the British system came into being. Maps and charts have been added to illustrate the complex method of administration.



MALAY STATES GOVERNMENT AND ADMINISTRATION







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THE GOVERNMENT AND ADMINISTRATION OF  
MALAYA UNDER THE BRITISH

I. INTRODUCTION

A. History

Malaya came under British control following conquests by Sumatran and Javanese kingdoms and short periods of Portuguese, Dutch and Thai dominance. The first permanent British settlement in Malaya was established in 1786, when Captain Francis Light occupied the island of Penang -- a grant from the Sultan of Kedah. In 1819, by a treaty with the Sultan of Johore, Stamford Raffles gained Singapore Island for the British.

Not until 1874, however, did British rule extend beyond the Straits Settlements. In that year general lawlessness throughout Perak led the chiefs to agree by treaty with Great Britain to accept a Resident. In the same year, as a result of civil war and piracy, a Resident was appointed for Selangor. Protection of Negri Sembilan also began in 1874, when the British took control of Sungei Ujong, one of the component states, and was continued by various treaties from 1886 to 1889 as Jelebu, Rembau, Johol, and Sri Menanti sought British protection. In 1895 the latter four states with Sungei Ujong joined to form the present state of Negri Sembilan, which then accepted a Resident. The ruler of Pahang requested a Resident in 1888 because of trouble stemming from the murder of a Straits-born Chinese. On 1 July 1896 Perak, Pahang, Selangor, and Negri Sembilan were united in a Federation supervised by a Resident-General, later known as the

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Chief Secretary, who was responsible to the Governor of the Colony who served as the High Commissioner of the Federated Malay States.

The Unfederated Malay States were last to come under British protection. In 1909 Thailand ceded her claims to the four northern Malay states. Treaties were concluded with Perlis (1909), Trengganu (1910 and 1919), Kelantan (1910), and Kedah (1923). The rulers agreed to accept a British Adviser, not a Resident as in the Federated States. In 1914 Johore became the fifth Unfederated State.

B. Problems.

Two distinct and very real problems confront any system of government in Malaya. First, the population is a mixture of many divergent races of Southern Asia. The native Malays are a minority. They accounted for only 37.5 percent of the total population in the 1931 census. In the less industrialized areas the percentage of Malays is much higher (91.2 percent in Trengganu) while considerably lower in municipal regions like the Straits Settlements (22.5 percent). The Chinese are the most numerous of the Asiatic peoples in the developed portions of Malaya; in 1931 they comprised 74.9 percent of a population of 559,946 in Singapore. Chinese and Indian immigration has steadily mounted since the peninsula was opened to industry and trade fifty years ago. These immigrants rarely planned to settle permanently in Malaya and consequently developed little civic interest or sense of responsibility. Few Asiatic Malaysians desired or knew how to use the franchise.

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A few Chinese, particularly those in the Straits Settlements, affected by the rising tide of nationalism in China became discontented with the British administration. The average Malay, on the other hand, displayed little political consciousness or nationalism. What little there was manifested itself in an intense loyalty to the native state rather than to Malaya as a whole. Prior to the Japanese occupation the average Malays were deemed incapable of governing themselves-- because of lack of training rather than any inherent inability. In the state of Johore, where promising candidates were accorded proper training, there were many capable Malay officials.

The second problem facing any administration was that ten separate governments functioned in Malaya: the Straits Settlement, a typical Crown Colony; and the four Federated Malay States and five Unfederated States, British Protectorates ruled by Sultans who were advised by British Government officials.

To govern these people equitably and satisfactorily an administration must integrate several racially and psychologically different peoples and coordinate in the fields of trade, communications, and foreign relations several politically distinct governments.

## II. GOVERNMENT AND ADMINISTRATIONS

### A. Straits Settlements

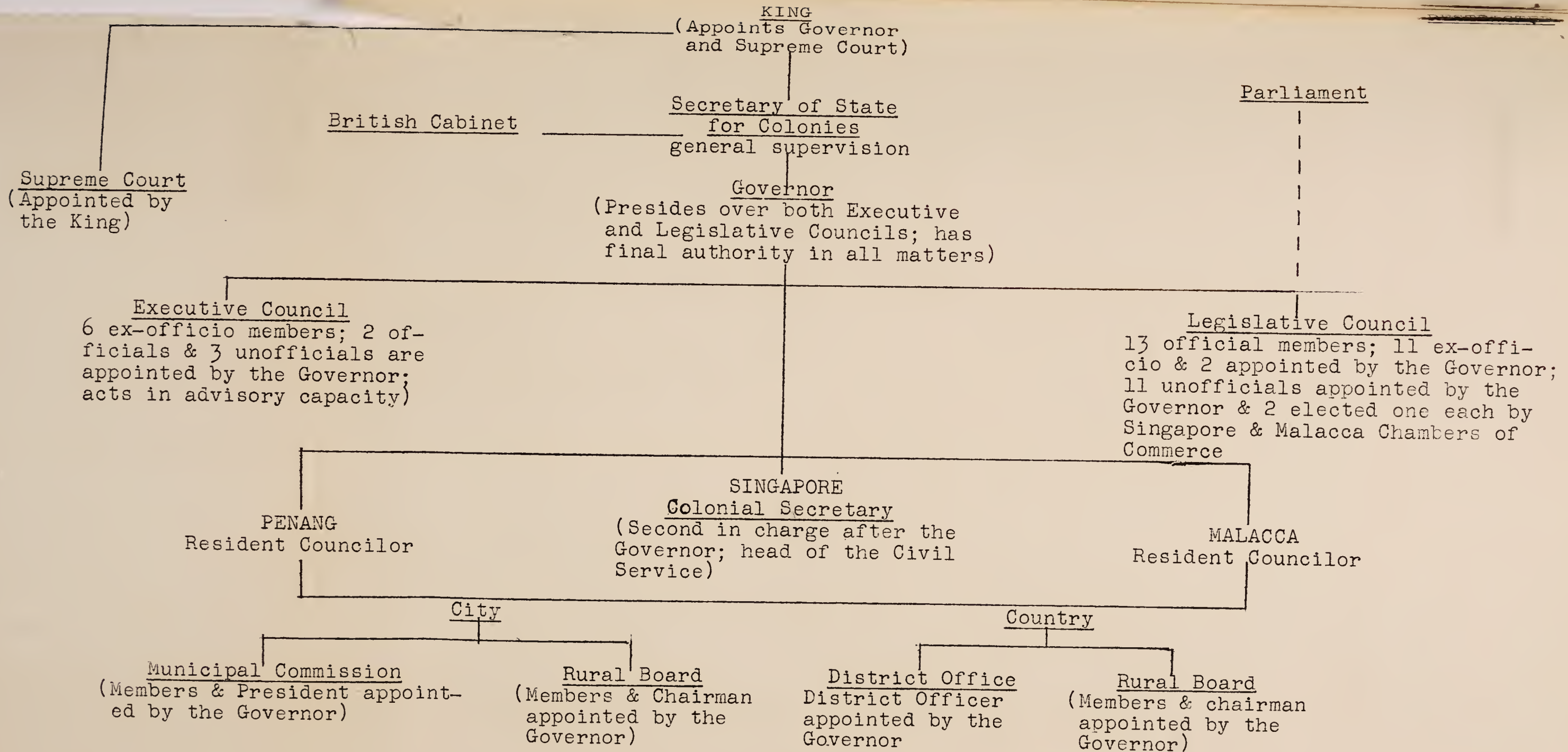
The nucleus of Malaya is the Colony of the Straits Settlements. Once a dependency of the Indian Empire, the Settlements were detached and converted into a Colony by Act of Parliament in 1867 and staffed with a Governor, Colonial Secretary, Attorney General, and Supreme Court. The Settlements included Singapore and Penang Islands, and Malacca and Province Wellesley on the mainland. The units of the Straits Settlements outside Malaya--the Christmas and Cocos-Keeling Islands south of Sumatra and Labuan off the coast of Borneo--are not considered here.

The Straits Settlements were a normal Crown Colony, with a Governor and an Executive and Legislative Council. All persons born in the colony were British subjects. Governmental authority stemmed from the British Imperial Parliament and passed through the Secretary of State for Colonies and the King to the Governor. Three of the eight prerogatives of the Crown were delegated to the colony.<sup>1</sup> For example, although the Crown is the source of all jurisdiction and has

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<sup>1</sup> These prerogatives have been summarized as follows: (a) to give laws to the subject; (b) to make peace and war, (c) to create supreme magistrates, (d) to receive final appeals, (e) to pardon offenses, (f) to coin money, (g) to have allegiance, fealty, and homage, and (h) to impose taxes. Roland Braddell, Laws of the Straits Settlements, 2 vols. Singapore, 1931-32 (hereafter cited as LSS), p. 95 f.

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the power to create courts of justice, by Article VIII of the letters Patent of 1911, the power to establish courts was delegated to the Legislative Council, as was the authority to impose taxes. The prerogative of mercy in the Colony was delegated to the Governor by Article XVI of the same Letters Patent.

1. Central

a. Executive

i. Governor. The Straits Settlements as a Crown Colony was ruled directly by the Governor.<sup>2</sup> All power and all responsibility were centered in him; all matters of any importance were submitted for his order; every act of the Government was done in his name. In practice if not in theory the Governor has a limited monarch. He tried insofar as possible to follow the dictates of public opinion but overruled where he thought advisable. Although the Governor represented the King he did not have all of the King's powers and his position was very different from that of a Viceroy. He was responsible for his personal conduct and activities in the Colony and might be sued for misdemeanors either in the Supreme Court of the Colony or in England.<sup>3</sup>

The office of the Governor was constituted and his powers defined by the Letters Patent of 1911.<sup>4</sup> The "instructions" issued in the Letters Close further stipulated his duties and their execution.<sup>5</sup>

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<sup>2</sup> Sir Anton Bertram, The Colonial Service, Cambridge, 1930, pp. 16 ff.  
(Hereafter cited as Colonial Service)

<sup>3</sup> LSS, Vol. I, p. 106

<sup>4</sup> LSS, Vol. II, pp. 294 ff.

<sup>5</sup> LSS, Vol. I, p. 307

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He held office for six years and might on no account leave the Colony without the King's permission.

The Governor convoked and prorogued the Councils, initiated legislation, and assented to, vetoed, or reserved for the Royal pleasure all bills. The Letters Patent empowered him to make and execute under the public seal grants and dispositions of land, to appoint judges, commissioners, Justices of the Peace, and other necessary officers, to dismiss or suspend certain officers, and to remit fines and grant pardons. The Governor of the Straits Settlements also served as the High Commissioner of the Federated and Unfederated Malay States.

ii. Colonial Secretary. The Colonial Secretary was the Governor's chief lieutenant and prime minister.<sup>6</sup> He headed the Civil Service, and ranked in procedure second only to the Chief Justice. When the Governor was absent from the Colonies, the Colonial Secretary normally assumed his duties. He was the normal and proper channel of approach to the Governor, and the head of the Legislative Council. Although the Governor might observe a certain remoteness and detachment, the Colonial Secretary was to be accessible at all times not only to leading public officials but also to prominent and representative members of the Public.

iii. Executive Council. The Governor was assisted in the

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6. Colonial Service, pp. 30 ff. and 51 ff.



performance of his duties by an Executive Council which was in effect, his cabinet.<sup>7</sup> It consisted of:

ex-officio { Governor, as president  
General Officer Commanding the Troops  
Colonial Secretary  
Resident Councillor of Malacca  
Resident Councillor of Penang  
Attorney General  
Financial Secretary  
two other officials  
three unofficials, one of whom is a Chinese,  
appointed by the Governor for two years.

The Constitution of the Council was embodied in the Instructions which regulated its business.<sup>8</sup> Officials and unofficials were nominated and appointed for two-year terms and were eligible for additional two-year terms. Three members including the presiding member formed the quorum necessary to transact business.

The Governor consulted the Executive Council in all matters except when, in his judgement, the Royal Service would sustain material prejudice by consulting the Council and when decisions were too small to require their advice or too urgent to get their advice in time. If urgency prevented advising with the Council, however, the Governor was to inform the Council as soon as possible of the measures adopted and the reasons therefore. The Governor alone was entitled to submit questions to the Council for their advice and decision, although the members might request him to submit questions. The Governor might, at his discretion, act contrary to the advice of the Council but in this

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<sup>7</sup> Ibid. p.22

<sup>8</sup> LSS, Vol. I, pp. 109 ff.

case he had to make a full report to the Crown, giving the grounds and reasons for his action.

iv. Central Services. Because of the considerable overlapping in the various government departments throughout Malaya, it was thought advisable to consider them all briefly at this point.<sup>9</sup> Such departments as Public Works, Posts and Telegraph, Drainage and Irrigation, and the Chinese Secretariat were centralized offices serving all British Malaya. Others like the departments of Agriculture, Audit, Forest, and Survey served the Straits Settlements and the Federated Malay States, while the rank and file such as Customs, Education, Railways, Labor, Police, Prisons, etc., were limited to one of the three major political divisions of Malaya and frequently to the individual state.<sup>10</sup>

The Malayan Civil Service was staffed in large majority by British personnel. Until comparatively recently almost no natives were employed, and even at the time of the Japanese occupation there were very few because natives had to meet the same rigid standards required of British candidates. The Malayan Civil Service was originally a part of the Indian Civil Service but later became an independent unit. When

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9 As a typical list of Government Departments the following for the State of Johore are listed:

Agriculture	Electrical	Lands and Mines	Posts and Telegraphs
Chinese Protectorate	Financial	Legal Adviser	Prisons
Courts	Forest	Marine	Public Works
Customs	Game Warden	Medical	Rubber Regulation
Religious Affairs	Labor	Military	Survey
Education	Land Office	Police	Veterinary

10 Colonial Service, pp. 34 ff.

Chinese and Eurasians living in the Straits Settlements agitated for Civil Service appointments in proportion to their number and influence a serious problem arose. Since Malayan Civil Servants could be transferred from the Colony to the Malay States the appointment of Chinese to the Civil Service was deemed unwise, as it would have provoked resentment in the Malay States. Therefore, a separate Straits Settlements Civil Service was founded for Chinese, Eurasians, and Indians in the Colony.<sup>11</sup>

b. Legislative

Legislative Council. The constitution and powers of the Legislative Council were defined by the Letters Patent of 1911 and the Instructions of 1924; its procedure by the Standing Orders made by the Council by virtue of Article XXXIII of the Instructions.<sup>12</sup>

The Council was composed of the Governor as president and thirteen official and thirteen unofficial members who were British subjects. The Legislative Council for 1940 was as follows:

Governor, President	Director of Education
General Officer Commanding Troops	Secretary for Chinese Affairs
Colonial Secretary	Director of Medical Services
Resident Councilor, Penang	Commissioner of Lands
Attorney-General	Acting Inspector General of Police
Financial Secretary	Acting Comptroller of Customs
Director of Public Works	seven other Europeans, three Chinese
Resident Councilor, Malacca	one British Indian, one Malay, and
	one Eurasian.

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<sup>11</sup> Lennox A. Mills, British Rule in Eastern Asia, Oxford, 1942 (hereafter cited as Mills), p 65

<sup>12</sup> LSS, Vol. I, pp. 112 ff., 330 ff.



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The official members of this Council, eleven of them sitting ex-officio and two by the Governor's appointment, were the six regular official members of the Executive Council together with the heads of the principal departments. The Governor appointed eleven of the unofficial members and the Chambers of Commerce of Singapore and Penang each elected one. Members were appointed or elected for a three-year term and were eligible for reappointment or reelection. Three members including the presiding member formed the quorum necessary to transact business. The Council met at least once every two months. Any member might propose any question for debate and the question, if seconded, was debated and disposed of according to the standing Rules and Orders.

Article VII of the Letters Patent delegated to "the said Legislative Council full powers and authority to establish all such laws, institutions and ordinances, and to constitute such Courts and Officers, to make provisions and regulations for the proceedings in such Courts, and for the administration of justice, and for the raising and expenditure of the Public Revenue, as may be deemed advisable for the peace, order, and good government of our subjects and others within our Settlements."

The Governor had both an original and a casting vote, which created an official majority in the Legislative Council. The annual draft estimates of revenue and expenditure were submitted, before reaching the Legislative Council, to a Select Committee with an unofficial majority. A Finance Committee composed of the Treasurer and three unofficial

members considered supplementary votes for expenditures before they were presented to the Council. The official majority on the Council was never used to ensure the passage of a measure unless the Colonial Office so instructed or the Governor determined its passage essential. Normally the Governor tried to arrange a compromise in advance which satisfied the majority of the unofficial members.

The unofficial members and the press formed a permanent parliamentary opposition to the official majority in the Council. It was a perennial source of dissatisfaction that official members must support the Governor's policy whenever he required them to do so, irrespective of their own opinions.<sup>13</sup> Although the unofficial members frequently attempted to follow the precedent of the House of Commons and act as the elected representatives of the people, their actual function was to sit only as advisory representatives of the people. The final decision lay with the Governor and an official majority was essential to maintain his authority. Inevitably the most important work of the unofficial members was done largely outside the formal meetings of the Council through private interviews with the Governor or discussions in the Executive Council.

2. Local. The Colonial Secretary in Singapore and the Resident Councilors in Penang and Malacca administered local everyday affairs

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<sup>13</sup> Mills, p. 30

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in peninsular Malaya, subject to the direction of the Governor in matters requiring submission to him. The various local administrations may be divided between those in the metropolitan areas and those in the country regions. Each of these is again divided between the urban and rural areas respectively. A brief description follows.

a. City

i. Municipal Commission. Municipal Commissions administered Singapore, Penang, and Malacca, the three principal municipalities of the peninsular Straits Settlements. The Governor in Council had the power to create and define the limits of municipalities and to appoint for each a Municipal Commission whose members were called Commissioners.<sup>14</sup> The Municipal Ordinances of the Straits Settlements stipulated at least five Commissioners, one of whom was appointed the President of the Commission by the Governor. The majority of the Commissioners were to be tax-payers in their respective municipalities and were forbidden to hold any office or receive any emolument under the Government or the Municipality or to be a regular minister of a religious body. Every year one-third of the Commissioners longest in office retired, but might be reappointed.

Once every year the President, before submitting the budget to the Governor, presented to the Commissioners for their approval a list of

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14 D.K. Walters, Municipal Ordinances of Straits Settlements, Singapore, (hereafter cited as MOSS) 1937, Part II, Section 4



the offices, with salaries and allowances, which he thought necessary. The President could appoint to or remove from the offices on the list such persons as he thought fit, provided that action on persons receiving S\$200 a month or more was approved by the commissioners.

The duties of the Commissioners were those which are usually associated with the offices of mayor or city council.<sup>15</sup> All streets, drains, canals, bridges, and similar works within the Municipality were vested in the Commissioners who levied rates for the construction and maintenance of such works, construction and control of waterworks, electricity and gas, provision of sewers, removal of refuse, and kindred purposes. The passage of by-laws, the purchase of land, and the floating of loans required Government sanction.

The Commissioners met at least once every month to transact business; the quorum as legally constituted was half and full number, but never less than three. In an equality of votes the President had a casting vote.

Singapore, for example, had twenty-five Commissioners; twelve appointed directly by the Governor and four each appointed on nomination by the European Chamber of Commerce, the Chinese Chamber of Commerce, and the Mohammedan Advisory Board although the nomination had no legal basis. Penang had thirteen commissioners and Malacca seven.

ii. Rural Board. Each of the three municipalities had a Rural Board constituted and functioning similarly to the Municipal

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<sup>15</sup> MOSS, Part IV, Section 29

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Commission but for the rural instead of the urban area.<sup>16</sup> The Governor could create a Rural Board in any local area outside the limits of an existing Municipality and delegate to the Board Members all the powers of the Municipal Commissioners. The Governor appointed one of the Board Members as chairman.

b. Country

i. District Officer. The outlying districts of each of the Straits Settlements were administered by District Officers and their assistants, whose offices were usually located in one of the large towns of each district. The administrative tasks of the District Officer, though not so complicated as those of the corresponding officer of a municipality, frequently required more time because of the greater area covered. This was particularly true in the larger states where the District Officer occupied a key position in state administration.<sup>17</sup> Much of his work was done by and through the local Penghulus (headmen) or Sidangs (Councilors) who were the responsible persons in the Malay kampong or village.

ii. Rural Board. Straits Settlements towns not large enough to require Municipal Commissions were administered by Rural Boards parallel to and, in some respects, identical to those of the suburban districts of the large cities.<sup>18</sup> These Boards, similarly constituted and

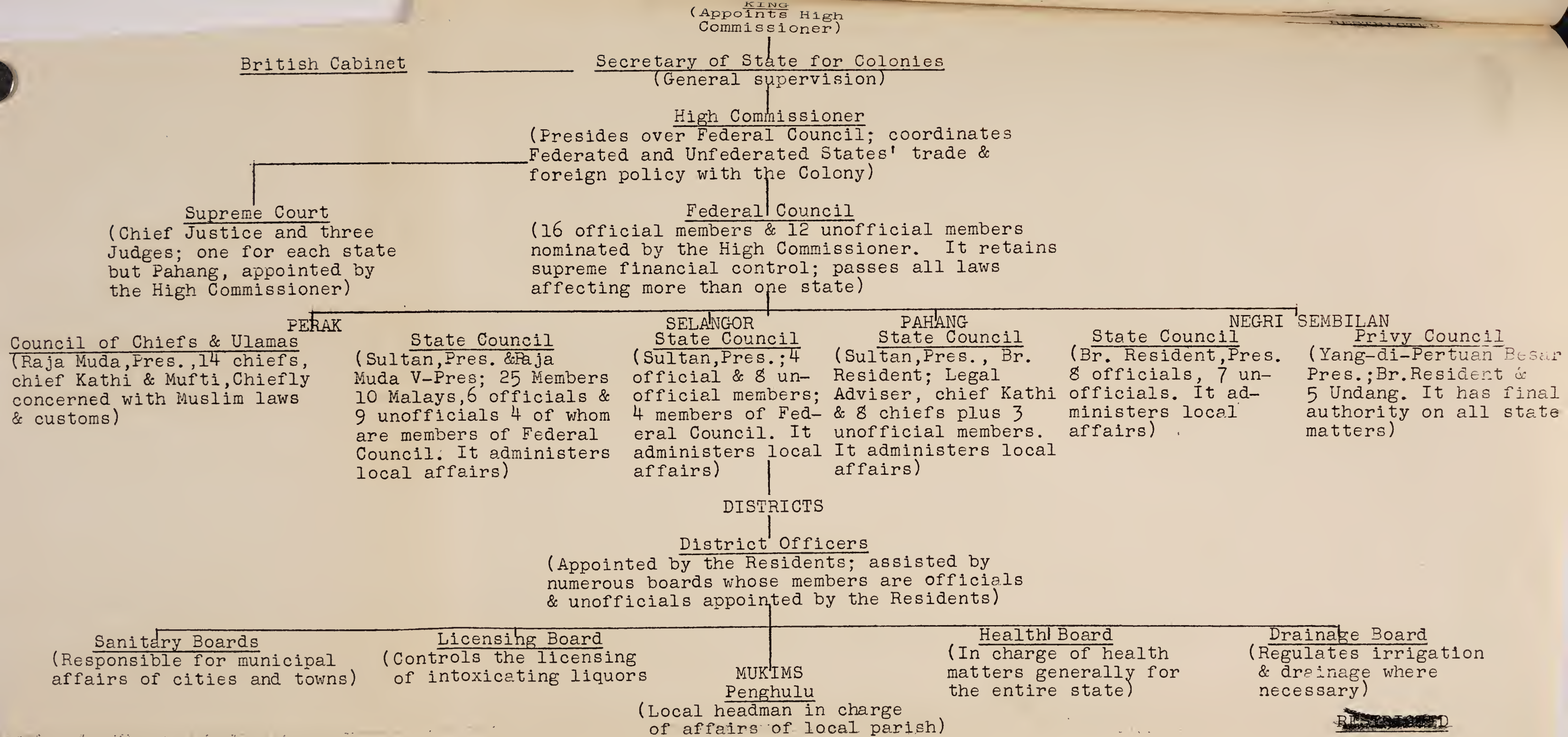
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<sup>16</sup> MOSS, Part XVII, Section 399

<sup>17</sup> The District Officer is treated more at length below, cf. II,B,3,a.

<sup>18</sup> cf above II,A,2,a,ii

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empowered to administer the affairs of their respective towns, were often merely local agencies of the central policy-forming body in the larger city.

Apparently the system in the Straits Settlements was this: on Penang Island the Rural Board for the city of Penang was also the central office for the local Rural Board at Balik Pulau under the Assistant District Officer there. On the mainland, however, the Rural Boards of Butterworth, Bukit Mertajam, and Nibong Tebal were supervised by the District Officer of Butterworth and the Assistant District Officers of Bukit Mertajam and Nibong Tebal respectively. In Malacca the Rural Board of the city of Malacca was the central guiding body for the distant Rural Boards at Alor Gajah and Jasin since their District Officers were represented on the Rural Board in Malacca.

A Rural Board also administered the affairs of suburban Singapore. All three of the major Settlements had a Land Office in the capital city where land rents were collected and title deeds filed.

#### B. Federated Malay States

The rulers of Perak, Pahang, Selangor, and Negri Sembilan, prompted by internal unrest, consented to the appointment of British officials called Residents. Theoretically the Residents were simply advisers to the rulers. Strangely enough, however, the native rulers had agreed that the advice of the Resident must be followed in all questions except those touching on Malay religion and customs. Contrary to the declared intention of the Colonial Office, but under force of

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circumstances, the Residents acquired absolute authority in their respective states, although the Sultan remained the legal monarch. A council composed of the Sultan, the Resident, the principal Malay chiefs, and the leaders of the Chinese was formed in each state. It passed legislation and discussed a wide range of subjects but it was purely an advisory body whose opinions were not binding to either the Sultan or the Resident.

The rapid material development of Malaya with the consequent influx of capital and alien labor created problems with which the Sultans and their councils were unable to cope. As a result, the four Sultans were persuaded to agree to a federation in 1896. By the terms of the treaty a Resident-General was appointed as agent and representative of the British Government. He was placed under the Governor of the Straits Settlements who in the future bore the additional title of High Commissioner of the Federated Malay States. The Residents continued to advise the Sultans, but the Resident-General supervised and coordinated their work. All legislation was left to the state councils but all important state departments were put under one federal head, responsible to the Resident-General, to insure uniformity of system throughout the Federation. The Federal Secretariat which was established at Kuala Lumpur took over many of the administrative powers hitherto exercised by the Residents and the importance of the Residents gradually diminished. In 1909 a Federal Council was established which deprived the State Councils of

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the meager legislative and financial powers they still retained. All laws of any importance were passed by the Federal Council. The State Councils continued to consider murders, appointments of Penghulus (village headmen), and loans or grants to mosques, but they did practically nothing else. One year later the High Commissioner became president of the Federal Council and the Resident-General was renamed the Chief Secretary.

After the World War the problem of over-centralization at Kuala Lumpur was considered in the Federal Council. As a result of the Maxwell Report (1924) and the advice of Sir Lawrence Guillemard (1925) some slight steps toward decentralization were taken. A third committee later recommended changes in the make-up of the Federal Council. Additional members had been appointed at various times since 1910 and as a result of the changes made in 1927 the Council was composed of thirteen officials and eleven nominated unofficials.<sup>19</sup> The committee further advised that an annual Durbar be held, attended by the High Commissioner, the Chief Secretary, the four Residents, and the four Sultans. It was to be a conference for informal discussion only, having no specific powers.

In 1932, at the behest of Sir Samuel Wilson, the first stage in real decentralization was announced. The Agriculture, Education, Electrical, Forestry, Medical, Mining, Public Works, Drainage and

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<sup>19</sup> FMS Government Gazette, 24 April 1927

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Irrigation, Prisons, and Veterinary Departments were to be transferred to state control. Actually by 1934 the Medical, Public Works, and Prisons Departments were the only ones separated in any degree from strict federal control. The principal administrative change effected was the abolition in 1935 of the Chief Secretaryship as it had existed. Its powers in state matters were transferred to the Sultans in Council and in questions of federal control to the high Commissioner or the newly created Federal Secretary. The Federal Treasurer and Legal Adviser were made members of the several State Councils in order to maintain uniformity of policy. The Federal Council retained control of general finances.

Every attempt at decentralization made by civil officials at the request of the Sultans, who were alarmed at their ever-diminishing authority, was strongly opposed by the representatives of European and Chinese economic interests. They blocked all steps that might impair Malaya's credit position and urged that the wealth and prosperity of the country were due to the development of foreign interests which should be protected. They felt that divided political control and too much power in the hands of incompetent officials would seriously endanger the economic programs of the country.

Little headway was made in decentralization despite the numerous discussions and conferences concerning the plight of the once-powerful Sultans. The individual State Councils were granted slightly broader powers. A few more Malays were promoted from the Malay Administration

Service--designed to equip Malays for minor posts--to the Malayan Civil Service. But there was a decided contrast in the degree of autonomy possessed by the Sultans of the Federated and Unfederated Malay States.

1. Federal

a. Executive

i. High Commissioner. The Governor of the Straits Settlements was also the High Commissioner of the Federated Malay States. The High Commissioner was President of the Federal Council whose members he appointed, in some cases subject to the approval of the crown. When the office of Resident-General was abolished many of the responsibilities of that office reverted to the High Commissioner. He was assisted by a Federal Secretary whose office was in Kuala Lumpur in Selangor.

ii. Federal Secretary. The Federal Secretary was the chief coordinator of the affairs of the Federated Malay States. A kind of liaison officer, he maintained close contact with the Sultans and Residents of the various states and relayed to the High Commissioner in Singapore the developments and problems in the Federated States.

The office evolved gradually from that of the Resident-General who was charged with the oversight of the Federation at its inception in 1896.<sup>20</sup> The Resident-General in his supervision of the four Federated States tended to centralize administration in the federal bureaus and to lessen the authority of the Residents. As a corrective measure the

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<sup>20</sup> Mills, pp. 47 ff.



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High Commissioner founded the Federal Council in 1909 and, with the intent of centering more authority in himself, changed the office of the Resident-General into the Chief Secretary. From 1909 to 1935 the Chief Secretary was the Government's main representative in the Federated Malay States and was senior to the Residents of the States. In 1935 the Chief Secretary became the Federal Secretary, a reform resulting from the clamor for decentralization.<sup>21</sup> The Federal Secretary was purposely made junior in rank and authority to the Residents in order to increase the powers of the latter.<sup>22</sup> The High Commissioner, however, often required assistance in state and inter-state administration, and the assistance of the Federal Secretary easily became advice.

b. Legislative

Federal Council. In 1909 Sir John Anderson, then High Commissioner, by an agreement with the Sultans of the four states established the Federal Council.<sup>23</sup> Its membership included the High Commissioner, the Resident General, the four Residents, the four Sultans, and four unofficials nominated by the High Commissioner for three-year terms. The Sultans, however, figured only slightly in the proceedings since the debates were carried on in English. Consequently, they had little desire to attend the meetings which they considered boring as well as beneath their dignity. In 1924 the states were granted a measure of independence. The heads of expenditure in the annual estimates

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21 Ibid., p. 62

22 Ibid., p. 69

23 Ibid., p. 49

were divided into three categories:<sup>24</sup> schedule A included such services as debt charges, pay and pensions, and the Railway and Labor Departments which were to remain under federal control; schedule B the reserved services such as rulers' and chiefs' salaries and grants to Sanitary Boards which were transferred to the state budgets; and schedule C the unreserved services which eventually might be transferred to the states but were for the present left in the federal estimates. This third group included all the most important social services.

The changes in membership recommended by an investigating committee were effected in 1927 by an agreement with the Sultans and the Council membership remained fairly static after this, with a few additions. Its membership as of 1940 was:

FEDERAL COUNCIL	
Officials	High Commissioner, President
	Resident of Perak
	Resident of Selangor
	Resident of Negri Sembilan
	Resident of Pahang
	Federal Secretary
	Legal Adviser
	Financial Secretary
	Secretary for Chinese Affairs
	Adviser on Medical Services
	Controller of Labor
	General Manager, Federated Malay States Railways
	Adviser on Education
	Adviser on Agriculture
	Comptroller of Customs
	Adviser on Public Works
Unofficials	four Malays
	five Europeans
	two Chinese
	one Indian

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The Agreement of 24 April 1927 defined the authority and duties of the Federal Council as follows:<sup>25</sup> The length of term of the officials was to be decided by the High Commissioner, while the un-officials were appointed for three-year terms, and were eligible for reappointment. The High Commissioner could, if it seemed desirable, appoint additional heads of departments or unofficials subject to the approval of the Crown and preservation of an official majority. A quorum of three, including the president, was necessary to transact business. The High Commissioner presided at the meetings and in the case of an equal vote had a casting vote.

The Federal Council, in spite of occasional reforms, retained the major share of legislation. All legislation affecting the whole Federation--and for the sake of uniformity most legislation was so intended--was passed by the Council. The Federal Council maintained strict control of all finances--funds reserved for the Council as well as the expenditure of funds allotted to the various states. In short, the Federal Council was a highly centralized body.

## 2. Central State

### a. Executive

i. Sultan. The Malay Sultans, legally the sovereigns of their states (including the comparable Yang Di-pertuan Besar of Negri Sembilan), were actually little more than figureheads. The Sultans had agreed by treaty to accept British Residents whose advice they were

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25 cf. FMS Government Gazette, 24 April 1927



to follow "in all matters except those relating to Malay religion and customs." In theory the Sultans were sovereigns who were simply to be advised by British officers. In practice, however, the Sultans did not understand the complicated and unfamiliar demands of Western government so that the reins of state government shortly fell into the hands of the Residents who did little more than advise the Sultans that certain steps had been taken. All legislation passed by either the Federal Council or the local State Councils still required the signatures of the Sultans, but this soon became a formality.

In spite of the fact that much of the power of the Sultans had been pre-empted by the British Government the native rulers kept up appearances by means of court pomp and ceremony. This show was so effective that most of the rayat believed that their Sultan was the real sovereign in the state. With the recent trend toward decentralization fostered by the official policy of delegating greater authority to local officials, the Sultan and other native officials took more interest in the government of their respective states. Since most of these changes have come within the lifetime of the present Sultans, their difficulty in comprehending and becoming acclimated to Western ideas is not hard to understand. At the time of the Japanese occupation, however, a new group of rulers many of whom had been trained at Kuala Kangsar College, was coming to the fore. Some had been members of the Malay Civil Service and were equipped to cope with the problems of modern government. They therefore insisted on being consulted by their Residents. The earlier

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rulers were seriously handicapped by their inability to speak English, but since the Sultans know their own people and can give a far truer picture of what the Malays think about a government policy than can outsiders, their active cooperation in government is most valuable. The Sultan functioned in three capacities: as titular head of the state, as religious leader of the state, and as President of the State Council (except in Negri Sembilan, where the British Resident presided).

ii. Resident. The Residents were introduced to Malaya in an unusual manner. Great Britain's relations with the Federated Malay States were of long standing; considerations of neighborhood and commercial interests made this inevitable. Following a period of more than usual anarchy and insecurity the Secretary of State, Lord Kimberly, wrote to Sir Andrew Clarke, the Governor of the Straits Settlements, 20 September 1873: "I would ask you especially to consider whether it would be advisable to appoint a British officer to reside in any of the states. Such an appointment could of course only be made with the full consent of the Native Government and the expenses connected with it would have to be defrayed by the Government of the Straits Settlements." Without further authorization Sir Andrew approached the chiefs of the State of Perak and eventually concluded a treaty with them which included the clause in Art. VI: "That the Sultan receive and provide a suitable residence for a British Officer to be called Resident, who shall be accredited to his Court, and whose advice must be asked and acted upon on all questions other than those touching Malay Religion and Customs."

Nothing was said about a Protectorate or Foreign Relations but a new and comprehensive formula was adopted which had most important consequences. Sir Andrew Clarke, without knowing it, had invented that significant instrument of British Imperial rule--the Adviser (of the Unfederated States or Resident of Federated States).

Originally Residents were officially empowered only to give advice but in practice their powers were far more extensive.<sup>26</sup> The Residents assumed the Government of their states with little direction from Singapore and without any apparent knowledge at the Colonial Office of what was taking place.

The authority of the Residents fluctuated with the times. In the early years they were practically independent. With the appointment of the Resident-General in an effort to coordinate the affairs of the four states they lost considerable power. Nor was the situation changed by re-naming the Resident-General as Chief Secretary. When the office was further altered to become the Federal Secretariat, however, some of the powers of the Residents were restored. The Federal Secretary was purposely made junior to the Residents who in turn were authorized to deal directly with the High Commissioner. In practice, however, they usually channeled through the Federal Secretary whose office was more accessible to them.

To implement cooperation between the four Residents they met four times a year together with the Federal Secretary. Since a body meeting

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<sup>26</sup> Mills, pp. 45 ff.



so seldom could consider only problems of the moment, papers were circulated among the Residents for their comments. This arrangement was unsatisfactory but was the best means evolved for advising the High Commissioner of local problems.

With the single exception of the High Commissioner, the Resident was for all practical purposes the final authority in the State Government. He coordinated the work of all Departments delegated to the separate states by the Federal Council, directed the proceedings of the State Council, and modified policies of the advisers in the Departments of the Federal Council to suit local conditions.

b. Legislative

State Councils. The State Councils controlled the allocation of funds within the block grant made by the Federal Council for local purposes, and legislation on matters of education, forests, some phases of public health and agriculture, and Islamic law. The Sultan appointed State Council members except in Negri Sembilan, where the Sultan and major chiefs shared appointive powers.

PERAK

State Council

- Sultan, President
- Raja Muda, Vice-President
- British Resident
- Secretary to Resident
- Raja Bandahara
- Legal Adviser
- State Engineer
- State Medical and Health Officer
- Chief Police Officer

- 8 Malay Chiefs  
4 European unofficals, members of the Federal Council  
3 Chinese unofficals, one a member of the Federal Council  
1 Indian and 1 Malay unoffical.

Council of Chiefs and Ulemas

Raja Muda, President  
14 Chiefs  
Chief Kathi  
Mufti

This council's activities were largely limited to affairs concerning Malay customs and laws.

SELANGOR

State Council

Sultan, President  
Raja Muda  
British Resident  
Raja Bandahara  
Chief Kathi  
Legal Adviser  
Secretary to Resident  
State Treasurer  
4 unofficial members of the Federal Council (2 Europeans, 1 Chinese, 1 Malay)  
6 other unofficial members (3 Malays, 1 European, 1 Chinese, 1 Indian)

NEGRI SEMBILAN

Council of Yang Di-pertuan Besar and Undang

Yang Di-pertuan Besar, President  
British Resident  
5 Undang (Chiefs)

State Council

British Resident, President  
Legal Adviser  
Secretary to Resident

State Medical and Health Officer, N.S.  
State Engineer, N.S.  
Conservator of Forests, S. and N.S.  
State Agricultural Officer, N.S.  
District Officer, Seremban  
Inspector of Schools, N.S.  
7 unofficial members; 2 Chinese, 2 Malays,  
2 Europeans, and 1 Indian who was the chief  
clerk of the Secretariat and clerk of the  
Council.

Legislation was introduced into the State Council and if passed submitted to His Highness and the Undang for amendment or confirmation, and finally, assent. Questions affecting Malay religion and customs were dealt with only by the Upper Chamber, which also exercised the statutory executive powers vested in the State Council.

#### PAHLING

##### State Council

Sultan, President  
British Resident  
Legal Adviser  
Chief Kathi  
8 Chiefs (5 Tengku and 3 Orang Kaya)  
3 unofficial members (1 Malay and 2 Europeans)

### 3. Local

a. District Officer. The success of the government depended upon the character and efficiency of the District Officer.<sup>27</sup> In many respects he was the key administrative official in the state, standing midway between the local native chiefs (Penghulus) and the central authority of the Resident's office. Because no state of any appreciable size could be administered adequately by one man, each state was divided

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27. Colonial Service pp 61 ff



into districts supervised by a District Officer. It was the essence of this officer that he be in direct touch with the people, whose interests were entrusted to him. The district was his district and it was his business to know it personally; to travel the length and breadth of the territory; to learn the characteristics of its villages; to talk to the people in their own language when they assembled to receive him or approached him with requests.

During the first twenty years of the residential system of government the Resident received his chief support from the Officers in charge of the districts, who were then known as District Magistrates. Just as the Resident had to do everything for himself when he was alone, so they, being alone, were in their districts the Magistrate, the Chief of Police, the Public Works and Survey and Land Officer, the Treasurer, the Coroner, the Inspector of Mines, and, where necessary, the Harbor Master. The majority of these offices were later delegated to subordinate officials of the several departments.

It is important to note that the District Officer ruled his district directly.<sup>28</sup> He was in touch not only with the central Secretariat, but also with the local representatives of the departments, often representing the local departments himself. Public land came under his jurisdiction as did the supervision and regulation of conditions of labor. Inevitably he often combined judicial with executive functions, and thus acted as local magistrate or local judge or both.

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28 Ibid., p. 69

The operations of the district technical departments-- public works, railways, public health, education, agriculture-- naturally affected the life of the people. The District Officer, therefore, had to acquaint himself with the policy of the central government which these departments were enforcing, to assist in its application locally by explanations, and to communicate restraining cautions to the government where necessary. All the chief headmen, district headmen, village headmen, and interpreters were subordinate to the District Officer and took their orders from him. Their jurisdiction was only that which the District Officer delegated to them. He alone was responsible for the decisions given in their reports and inquiries.

The District Officer was also assisted in his duties by several subordinate boards, committees, and minor officials. In general the set-up was as follows:

- a. Each city and large town was supervised by a Sanitary Board.
- b. The more extensive rural areas often including large estates were designated Health Board areas and were supervised by their respective Health Boards.
- c. The entire district was subdivided into Mukims or parishes administered by Penghulus or headmen.

The functions of the Sanitary Boards of the Federated Malay States and of the Municipal Commissions in the Straits Settlements were similar. The Resident of a Federated State might, by notification

in the Gazette, declare any area within the state a Sanitary Board area, although in practice such areas were limited to urban developments. He appointed official and unofficial Board members and designated one as chairman. Except in Kuala Lumpur and Ipoh, where the appointment was a special one, the local District Officers served as chairmen. The term of office was one year, but the members might be reappointed at the discretion of the Resident. The Resident also appointed secretaries, health officers, inspectors, and such other officers as were needed. The chairman convened the Board at his discretion. A quorum of three members was necessary to transact business. In case of an equal vote the chairman had a casting vote.

The duties and powers of the Sanitary Boards were much like those of municipal officers generally.<sup>29</sup> The members of the Board had as their charge the health and well-being of the citizenry and were empowered to authorize and regulate the construction of houses, buildings, streets, etc.; to establish rates (taxes) and to provide therefrom facilities for public lighting, the collection of waste materials, fire prevention, and all other matters connected with the conservation and improvement of the Sanitary Board area.

Licensing Boards were appointed by the Resident to control the sale of intoxicating liquors and Drainage Boards to construct and maintain irrigation and drainage systems in the low-lying or paddy-growing areas. Additional sub-boards and committees supervised such matters as mosquito destruction and anti-malarial measures.

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29 The Laws of the Federated Malay States, 1935, Vol. III, Cap. 137



A special Health Board<sup>30</sup> directed by a health officer was set up in each state to maintain proper health measures on the estates and mines in the less developed parts of the states. Health Board areas, therefore, were much more extensive than Sanitary Board areas, often including a large part of the state.

b. Penghulu. The pivotal point of government, the point of contact with the average man, was the local Penghulu in his Mukim. There the policies and legislation of the State Councils, channeled through the District Officer with his advice and modifications, finally reached the people. The highly fluid Penghulu system varied slightly from state to state but in general Penghulus were appointed after polling the local population in some form of popular election. A Penghulu was usually appointed for each Mukim but in the less settled parts of some states two or more Mukims were sometimes administered by one Penghulu.

There are nearly nine hundred Mukims of varying sizes in the sixty-seven Districts of the Straits Settlements and Malay States. In some areas senior Penghulus in charge of several Mukims were called Pengawa and Demang and the advisers or assistants to the Penghulus were known as Sidang.

Only a few Penghulus in specially important areas of the Federated Malay States had permanent offices and small courthouses. The Penghulu's office was usually the back verandah of his own house in whatever village he lived. It is only important to know that the

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30 For details see below II,C,3,a

KING  
(Appoints High  
Commissioner)

British Cabinet

Secretary of State for Colonies  
(General supervision)

High Commissioner  
(Administers through Secretary for  
Unfederated States at Singapore)

JOHORE

KEDAH

PERLIS

KELANTAN

TRENGGANU

Privy Council  
(Sultan & 8 to  
12 of the chiefs)

State Council  
Mentri, Pres.; 16  
or more members  
incl. Br. Offi-  
cials; functions  
as Legislative  
Council in Colony)

Executive Council  
(Functions as the  
Executive Council  
in a British Colony)

State Council  
(Sultan, Pres., Br.  
Adviser & 3 Malays  
chosen by Sultan;  
is combined State  
& Executive Council)

Advisory Council  
(Raja, Pres.; Br.  
Adviser & 3 Malays  
chosen by Raja;  
equals State  
Council)

State Council  
(Sultan, Pres.,  
Br. Adviser,  
Legal Adviser  
Asst. Adviser  
& 11 others  
mostly Malays)

State Council  
(Mentri Besar, Pres.  
Br. Adviser & 19  
others either Govt.  
officials or  
pensioners)

District Officers  
(Appointed by Sultans have charge  
of Districts & are assisted by  
various local Boards and com-  
mittees)

Sanitary Boards  
(Responsible for munici-  
pal affairs in towns &  
cities)

Licensing Board  
(Controls the licensing  
of intoxicating liquors)

Penghulu  
(Appointed from  
local villages to  
take charge of  
parish affairs)

Health Board  
(In charge of health  
matters generally  
for the entire state)

Drainage Board  
(Regulates irrigation  
& drainage where  
necessary)





Penghulu is the man in charge of the Mukim and the one to contact, for everyone in the Mukim would know where he lives.

The Penghulu's chief duties were to settle minor disputes among the natives of his area and to administer the Islamic and Civil law on the local level. He could impose fines up to S\$50. More serious or important cases were decided by regularly constituted Magistrates.

#### C. Unfederated Malay States

Theoretically both the Federated and the Unfederated Malay States were juridically independent and practically dependent, but there were several real points of difference. Although the five rulers of the Unfederated States were also bound by treaty agreements to follow the counsel of British Advisers except in questions touching Mohammedan religion and Malay customs, the native Malays shared much more conspicuously in the government of their country than did their neighbors in the Federated States. Most of the Ministers and administrative officers were Malays, although the technical officers were predominantly British, as few Malays had been trained for these positions. Since there was no superior administrative body like the Federal Council of the Federated States between the native rulers and the High Commissioner, the rulers and their State Councils exercised real executive power.

Johore came under British influence as early as any of the Malay States, but was the last to accept a British adviser and become a British Protectorate. The other four Unfederated States were the last regions in Malaya to be brought under European economic control. This

was caused by their relative inaccessibility, as compared with the states on the west coast of Malaya. The natural harbors on the west coast provide good ports; the monsoons are not so severe; and the west coast railroad, completed prior to World War I, accelerated the development of the western states. The east coast railroad was not completed until 1931, and is not yet highly developed.

The rulers of the Unfederated States profited by the experience of the Federated States and determined not to lose their control in government. They employed Malays wherever possible in the administrative services, and hoped soon to dispense with Europeans entirely. They realized that trained Europeans would be needed for a longer period in the technical departments, but Kedah in anticipation of an all-Malay administrative staff began to train its own medical staff.

Johore, the only state where Chinese and Indian immigrants outnumber the native Malays (in 1931, 52.7 percent of the population) was the most advanced and independent of the Unfederated States. This, in a highly industrialized state with a Malay minority, was due to the remarkable ability and force of character of the recent Sultans and indicates that intelligent and properly trained Malays can manage their states adequately.<sup>31</sup>

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31 Mills, p. 75

1. Federal

a. Executive

i. High Commissioner. The Governor of the Straits Settlements was the High Commissioner of the Unfederated States as well as of the Federated States. Although the High Commissioner had somewhat more authority in the Unfederated States than in the Federated States, nevertheless he had the final word, short of the Colonial Office, in all disputed matters. His approval was necessary in nominating the chief British technical officials for each state. He appointed the Advisers and their assistants for each state, coordinated the affairs of the separate states, and supervised British interests.

ii. Secretary for the Unfederated Malay States. The Secretary for the Unfederated Malay States was directly under the High Commissioner in Singapore and acted as a liaison between the Advisers and the High Commissioner. The Secretary was junior in rank to the Advisers and could not criticize their proposals, but did have the privilege of preparing for their use memoranda which cited precedents and other relevant data.

2. Central State

a. Executive

i. Sultan. The Sultans<sup>32</sup> of the Unfederated States more

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<sup>32</sup> Sultans rule Johore, Kedah, Kelantan, and Trengganu; Perlis being much smaller is ruled by a Raja. All the native rulers will be referred to arbitrarily as Sultans for the sake of simplicity.



closely approached sovereign powers in their respective states than did the Sultans of the Federated States. Their executive authority was much greater, and in most cases they were the chief executives of their states, although the duties of the office were frequently delegated to a Mentri Besar (Prime Minister), who worked under the close supervision of the Sultan. Normally the Sultans presided over the State Councils, appointed District Officers and members of the various Town, Health, or Sanitary Boards, and were responsible for the government and administration of their respective states. Although they surrendered the right to formulate foreign policy for their states and had agreed to follow the counsel of the British adviser, the Sultan usually initiated state programs, policies, and legislation, and appeared simply to consult with the Adviser rather than to take orders from him.

ii. Adviser. The British Adviser in an Unfederated State (called the General Adviser in Johore) was theoretically identical to the British Resident of a Federated State. Legally the status of the Resident and the Adviser was the same, but their relationships with the Sultans, who were bound by treaty to follow their advice, were decidedly different.<sup>33</sup> Whereas the Resident actually administered the state in behalf of the Sultan, the Sultan of an Unfederated State was the chief executive. The Adviser, while frequently consulted, never issued orders

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<sup>33</sup> Mills, p. 77 f.

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of his own. Because much of the direction of the state stemmed from the Adviser, although it was channeled through the Sultan, he had to be a master of diplomacy as well as an able administrator. Obviously the efficiency of state administration depended in large measure in the cooperation of the Sultan and his Adviser.

Although the Adviser could at any time insist that his advice be acted upon, he seldom did so. He tried by great tact and by introducing changes slowly, rather than precipitously, to persuade the ruler to accede to his advice. The less frequently he exerted his full power the more successful he was in his final achievements. The same principle applied in the State Councils: if the Adviser's proposals met opposition, the question was postponed until the next meeting and in the interim the Adviser did his best to win over the resistance.

If the ruler remained firm, the Adviser gave way unless the question was of prime importance, in which case it was referred to the High Commissioner, and, if necessary, to the Colonial Office. Under this heading would come such questions of Imperial or Pan-Malayan concern as tin and rubber quotas, enforcement of the Labor Code, and the important domestic reforms.

In short, although the duties and responsibilities of the Adviser closely approximated those of the Resident, he governed indirectly rather than by direct action.

b. Legislative. The structure and the operation of the several State Councils of the Unfederated Malay States were similar yet varied enough to warrant a separate discussion for each state.

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i. Johore. Johore had the unique distinction of possessing a constitution presented to the people by Sultan Abubakr in 1895. The constitution stipulated two councils: The Mashuarat Mentri and the Mashuarat Keraja'an. The Mashuarat Mentri (Council of Ministers) corresponded to a Privy Council and was made up of eight to twelve "assistants, ministers, and coadjutors to the Sovereign." It had little significance, since the Malay chiefs rarely if ever opposed their Sultan. The Mashuarat Keraja'an (State Council), with functions similar to those of the Legislative Council of a British Colony, included sixteen or more members and was presided over by the Mentri Basar. The members were appointed by the rulers with the approval of the ministers. Originally the Council included only Malays, but in 1940, European officials (British General Adviser, Legal Adviser, and Financial Commissioner) and unofficials, a Chinese, and an Indian also sat on the Council.

In 1912 Sultan Ibrahim established the Mashuarat Kerja (Executive Council) which was presided over by the sultan. The Council was similar in function to the Executive Council of a British Colony. To it were referred all applications for agricultural and mining lands, all public works, contracts and tenders, and questions of promotions as well as the initiation of legislation and other important matters.

The Malay Mentri, with the Malay State Secretary as the Government's official spokesman, and a number of other Malay officials, were the principal administrators. All policy and executive action were subject



to the scrutiny of the British Adviser. The Adviser was assisted by various British officials, namely: Legal and Financial Advisers, Commissioners of lands, Mines, Trade and Customs, and Police, Principal Medical Officer, State Engineer, Controller of Labor, Protector of Chinese, State Agricultural Officer, Superintendent of Education, Conservator of Forests, Postmaster General, Warden of Mines, and Superintendent of Surveys. There were also an Auditor and a Treasurer (both Malay) who received counsel from the Financial Adviser.

### COUNCILS

#### Executive Council

Sultan, President  
Mentri Besar  
General Adviser  
Legal Adviser  
State Secretary (Malay)  
President of Religious Affairs (Malay)  
Financial Commissioner  
four other Malay leaders  
four unofficial Europeans

#### Council of Ministers

Mentri Besar, President  
Timbalan Mentri Besar, Vice-President  
nine other Malay Chiefs

#### Council of State

Sultan  
Mentri Besar, President  
Timbalan Mentri Besar, Vice-President  
General Adviser  
Legal Adviser  
Financial Commissioner  
thirteen Malays  
eight Europeans  
one Indian  
one Chinese

ii. Perlis. The Raja of the State of Perlis was the President of the State Council which consisted of the British Adviser and three Malays selected by the Raja with the approval of the High Commissioners; other Malay chiefs could be added to the Council in the same manner. This Council passed all legislation and treated all matters of importance. The official language was Malay and except in special cases (technicians) the officers of the Government were Perlis Malays.

State Council

Raja, President  
Malay Vice-President  
British Adviser  
three other Malays

iii. Kedah. The State of Kedah was governed by the Sultan with the assistance of a State Council consisting of the British Adviser and several prominent Malay chiefs, one of whom was appointed President. The Sultan selected all members, subject to the approval of the High Commissioner. The Council passed all legislation and treated all questions of importance. It met at least once a week. Kedah was fortunate in having in her late Regent and some of the other principal Malay officials a group of able and astute men. While introducing reforms, they were determined to preserve the Malay character of Kedah and to limit British control as far as possible, and achieved a fair measure of success.

- 41 -

State Council

Regent, President  
British Adviser  
three other Malays

iv. Kelantan. The Sultan ruled Kelantan with the assistance of a British Adviser. The State Council passed all laws and performed the other duties of a combined Legislative and Executive Council. It met about twice a month. The members were appointed by the Sultan with the approval of the High Commissioner.

State Council

Sultan, President  
British Adviser  
Assistant British Adviser  
Legal Adviser  
ten Malays  
one Chinese

v. Trengganu. Trengganu was ruled by the Sultan assisted by a State Council of about nineteen members all of whom were either Government officers or pensioners; there was no unofficial representation. This Council met once a week to consider administrative questions; additional sessions were convened for legislation. The Mentri Besar, the principal executive officer of the state, was President of the Council. Under him was the State Secretary (Malay) who was the chief spokesman for the state. Five seconded officers of the Malayan Civil Service served as the Legal Adviser, Commissioner of Lands and Mines, and Collectors of Revenue in the districts of Besut and Kemaman, and Settlement Collector in Kuala Trengganu. Similarly seconded officers



in the Malayan Professional and Technical Services administered the Police, Public Works, Medical Survey, and Forests Departments respectively. An officer of the Malayan Customs and Excise Service was seconded for service as Preventative Officer, Customs. The remaining departments of the state were administered by Malay chiefs among whom were the State Commissioners for Besut and Kemaman, the Superintendent for Marine and Customs, and the State Treasurer. The British collectors of land revenue for Besut and Kemaman were also Assistant Advisers and kept the Adviser in touch with affairs in their districts.

The British Adviser in Trengganu, unlike those in the other Unfederated States, had only consular powers until 1919. In 1940 he was also the Judge of the Court of Appeal. Otherwise he acted in a purely advisory capacity in the Government; nevertheless, he had the right to insist that his advice be followed.

#### State Council

Menti Besar, President  
British Adviser  
several Malay officials

3. Local. In the Unfederated States, as in the Federated States, the principal local official was the District Officer.<sup>34</sup> There were, however, noteworthy variations, both in nomenclature and procedure. The District Officers of the Unfederated States were more frequently Malays than Europeans, in contrast to the Federated States. Three of

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<sup>34</sup> cf. above II,B,3,a where the District Officer and his subordinate, the Penghulu, are treated more at length.

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the districts of Johore (Muar, Batu Pahat, and Segamat) were administered by Malay officials called State Commissioners assisted by British Assistant Advisers. The duties of these officers were identical with those of the District Officer of the Federated States.

a. The Sanitary Boards set up for the areas defined as Sanitary Board areas in duties, responsibilities, and function closely resembled their counterpart in the Federated States.<sup>35</sup> In the Federated States, however, the British Resident appointed Board members, whereas the Sultan of the Unfederated State made the appointments. In some of the larger cities of Perlis and Johore the body was called the Town Board.<sup>36</sup> Sometimes a committee was formed apart from the Sanitary Board, with the British Adviser as chairman, which dealt with the major questions of town planning. There were no other significant changes. Where needed there were the usual Licensing and Drainage Boards as in the Federated States.

b. Health Board. Health Boards operated in the Unfederated States, as in the Federated Malay States. The purposes of the Health Board and the Sanitary Boards were quite similar. Only one Health Board, however, functioned in each state. Where the Sanitary Boards cared for a number of relatively small urban developments, one Health Board served a large proportion of the entire state. As an example of the organization and duties of this type of body the Health Board Regulations for the state

35 cf. e.g. The Laws of the State of Kedah, 1934, Vol. IV, #106

36 cf. e.g. The Laws of Johore, 1935, Vol. III, #118

~~RESTRICTED~~

of Kedah are outlined below.<sup>37</sup>

The members of a Health Board were: the Protector of Labor, chairman; the Senior Health Officer, vice-chairman; two members nominated by the Kedah Planter's Association; one member nominated by the Council of the Malaya Branch of the British Medical Association; one member nominated by the Rubber Growers Association; and two members nominated by the President of the State Council. The President of the State Council could add to the membership but the proportion between officials and unofficials was to remain the same. The members held office for three years.

The chairman convened the Board at his discretion, with a minimum of seven days' notice. Subcommittees of two or more members were delegated with many of the Health Board's powers and duties. Their proceedings were subject to ratification by the Health Board. An Administrator appointed by the Health Board with the approval of the State Council, performed the duties prescribed by the enactment.

The Senior Health Officer could recommend that new areas be added to the Health Board area. These recommendations were subject to the approval of the President of the State Council. No land included in a Sanitary Board area could be added.

In the regulation of labor the Controller of Labor could exercise the powers conferred upon him by the Labor Code only with the approval of the Health Board. The expense of carrying out any order of the

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37 Laws of State of Kedah, Vol. III, Enactment 48



Controller was borne by the estate or mine concerned, but not by the Health Board.

The Health Board provided hospitalization and medical care for the laborers on estates, mines, and small holdings throughout the land and promoted healthier living conditions in the same areas. In order to foot the bill they were empowered to levy cesses on the estates and mines, etc. The Health Board also furnished visiting doctors and midwives who were paid for in the same manner. The Administrator supervised such routine matters as sending out notices of the annual cesses and collecting the same, preparing the annual estimate to be presented to the Secretary of the Government, keeping accounts, and checking expenditures.

### III. LAW AND JUSTICE

The organization and administration of law and justice are an integral and essential part of the total colonial Administration. This is particularly true in the less developed regions of the world upon which a new and unfamiliar manner of life has been imposed. Changes had to be made and peace and order maintained so that the adjustments might be accomplished with a minimum of friction or disturbance. Moreover, the industrial and agricultural growth of the country depends largely upon orderly and regulated working and living conditions.

Law and Justice will be considered from the judicial and executive angles. The Courts declared the law, delivered their judgments, and imposed sentences. The executive branch provided for the

setting in motion of the processes of the law, and for the enforcement of orders of the courts, and for the development and remolding of the law to meet the changing needs of the time.

A. Executive

1. Attorney General. The Attorney General filled, proportionally, a much larger position in the Colonial Government than in the Government of the home country.<sup>38</sup> He was one of the mainstays of the Government and had a correspondingly high precedence, ranking next to the Colonial Secretary. In the Federated Malay States the same officer was entitled Legal Adviser in accordance with the policy of avoiding any semblance of British sovereignty, but his duties and powers were much the same. The Attorney General performed many functions, chief among which were those of Public Prosecutor, Legal Adviser, and Draftsman of Legislation.

a. Public Prosecutor. All criminal indictments were framed in the name of the Attorney General although he usually prosecuted through the Solicitor General or some other officer of his department.<sup>39</sup> As supervisor of all prosecutions of indictable offenses he became a substitute for the Grand Jury. The Attorney General decided which cases should be prosecuted or nol-prossed. He was further empowered to instruct a magistrate to reopen a case should it seem advisable.

b. Legal Adviser. As Legal Adviser to the Government the Attorney General counseled not only the Central Government but also all departments

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<sup>38</sup> Colonial Service, p. 95

<sup>39</sup> Ibid., p. 97

where legal problems arose.<sup>40</sup> He gave advice on points of law arising in disputes with members of the public as well as on the administrative tangles that continually resulted from the intricacies and unsuspected defects of local legislation. In this capacity the same officer sat as Attorney General in the Executive Council of the Straits Settlements and as Legal Adviser in both the Federal Council of the Federated Malay States and in the State Councils of each of the Federated States.

c. Draftsman of Legislation. The annual output of legislation in Colonies and Protectorates is considerable. Fresh points present themselves each year for legislative action: administrative difficulties that have arisen in the past year, new policies that require legislative embodiment, and developments of old institutions that necessitate recasting of existing legislation. It was the duty of the Attorney General to make sure that new legislation was so drafted as to achieve its desired end, to consolidate supplementary or amending Ordinances from time to time, to provide Codes of Evidence, Criminal Procedure and Civil Procedure for untrained magistrates, and to insure unity and guard against confusion or contradiction in legislation between the several states.<sup>41</sup> The latter function necessitated the presence of the Attorney General in his capacity of Legal Adviser on the several State Councils.

2. Police. It is hardly necessary to point out that an efficient police force is a prime requirement of good government. In Malaya

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40 Ibid., p. 99

41 Ibid., p. 102 f.



characteristics of the native population and the personnel of the police, however, required a police system different from that of Europe or America.<sup>42</sup> The percentage of homicides was considerably higher than in Western countries and the local villagers were more reluctant to cooperate with the police in their investigation. Moreover, the police force of the Straits Settlements and Federated States consisted mainly of Malays and Indians supervised by relatively few British officers. In the Unfederated States the percentage of Europeans was even lower. To prevent abuse of the power of the members of the police force, strict military discipline and training were observed and were preceded by special training in a fully organized police school.

In spite of this it was unsafe to admit as evidence in court any statement made by any person, innocent or accused, to a police officer conducting an investigation or making an arrest, or, for that matter, to the sergeant at the police station. In a trial only a formal confession made before a magistrate was accepted, since the police were not above applying pressure or inducements in order to get a confession and could not be trusted to record the prisoner's statement accurately.

This obviously hampered the state in its conviction of many a culprit, since on-the-spot confessions often pointed out significant details which otherwise might be lost. Such information was used only to facilitate further investigation, not as evidence.

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<sup>42</sup> Ibid., p. 110

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Probationary European officers were given a three-year course of studying including Malay -- frequently a dialect of Chinese as well -- law, drill, and police duties. At the end of the first year they usually had a chance to learn practical duties as an assistant in a district police office.

3. Prisons. Three objectives -- security, sanitation, and humanitarianism -- patterned the construction and administration of the prisons of Malaya.<sup>43</sup> Of late the corrective rather than the punitive aspect of a prison sentence was stressed. Efforts were made to induce capable and efficient persons to serve in this branch of law enforcement.

All prisons were subject to inspection by the chief officer of the state or district, and special Prison Boards supervised their administration. The improvement over native prisons was considerable and the results as observed in the conduct of former prisoners were gratifying.

## B. Judicial

1. Law. The law in force in the Straits Settlements was prescribed by local Ordinances passed by the Legislative Council, and by such Acts of the Imperial Parliament and of the Legislative Council of India as were applicable. In the Federated Malay States the law consisted of Federal Enactments passed by the Federal Council. In addition, separate State Enactments were enforced in the several states. The law in each

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<sup>43</sup> Ibid., p. 118

of the Unfederated States comprised Enactments of the State Council.

In the Straits Settlements, the Federated States, and the Unfederated States alike, the Indian Penal Code, Evidence Act, and Criminal Procedure Code were adopted with slight alterations, and there was a Civil Procedure Code based on the English Judicature Acts.

## 2. Courts

a. Straits Settlements. The Courts administering civil and criminal law in the Straits Settlements were:

i. The Supreme Court. This Court, constituted by a Courts Ordinance, consisted of a Chief Justice and three or more Puisne Judges. The Judges were appointed by the King under Letters Patent under the Public Seal of the Colony. The Court was a Court of Record and exercised within the Colony criminal and civil jurisdiction and authority similar to that of His Majesty's High Court of Justice and High Court of Chancery in England. It held periodical Assizes and Civil sittings in all three settlements. As a Court of Appeal it also had appellate jurisdiction.

ii. The District Courts. In each settlement there were District Courts, with civil jurisdiction in cases where the matter in dispute did not exceed S\$500, which could, in criminal cases, pass sentence of imprisonment up to two years or impose fines up to S\$1,000.

iii. Police Courts in each settlement with power to impose fines up to S\$500 or to order imprisonment up to six months.

iv. Coroner's Courts in each Settlement.

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b. Federated Malay States. In the Federated States the following Courts functioned:

i. The Supreme Court. The Court was constituted by a Courts Enactment of the Federal Legislature, and comprised the Court of Appeal and Judges' Courts. It consisted of a Chief Justice and three judges, one resident in each of the states except Pahang. The Judges were appointed by the High Commissioner. The Supreme Court was a Court of Record and had the same power and authority to punish for contempt of Court as are possessed by the Court of Appeal and High Court of Justice in England. It held periodical Assizes and Civil sittings in all states.

ii. Courts of a Magistrate of the First Class. These Courts had civil jurisdiction in cases not exceeding S\$500 and power in criminal cases to impose fines up to S\$500 or one-year imprisonment. Certain Senior Magistrates had civil jurisdiction in cases up to S\$1,000 and power to impose fines up to S\$1,000.

iii. Courts of a Magistrate of the Second Class had civil jurisdiction up to S\$250 and could impose fines up to S\$250.

iv. Courts of a Penghulu which could impose fines up to S\$50.

v. Courts of a Kathi or assistant Kathi.

c. Unfederated Malay States. In the Unfederated States the Court of a Judge or High Court, and Courts of Magistrates, Penghulus, and Kathis resembled similar Courts in the other administration.

d. Interlocking Judicial System. By a Colonial Ordinance the Judges of the Federated States were judges ex officio of the Supreme Court of the

Colony, and by Federal Enactment the Judges of the Colony were Supernumary Judges of the Federated Malay States.

The four Registrars of the Supreme Court of the Straits Settlements and the Registrar and two Assistant Registrars in the Federated Malay States performed the duties discharged by Masters of the Supreme Court, Clerks of the Criminal Courts, Registrars, and similar officers of the Supreme Court of Judicature in England.

Judges and certain Magistrates were recruited from the Colonial Legal Service by the Secretary of State for the Colonies. Magistrates were appointed by name or ex-officio; a class of officers might be thus appointed. A Magistrate always administered a District. Appeals from a Magistrate were heard by a Judge, and appeals from Judges by the Court of Appeal, from which an appeal could go, in civil matters, to the Privy Council in London.











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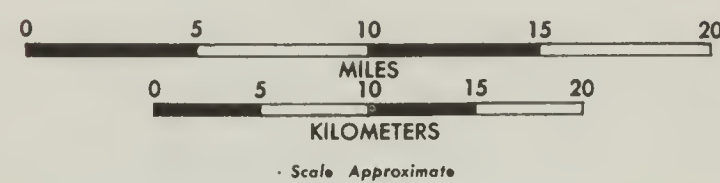
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# POLITICAL DIVISIONS OF MALAYA

## TRENGGANU

- State Boundary  
 - - District Boundary  
 — Mukim Boundary  
 — Road
- State Capital  
 ○ District Headquarters  
 ○ Other Settlement  
 ▲ Police Station



## GLOSSARY

- Bt. .... Bukit ..... hill, height  
 K. .... Kuala ..... mouth of a river, estuary  
 Kg. .... Kampong ..... village, group of houses  
 P. .... Pulau ..... island  
 Pg. .... Pengkalan ..... landing place, small port  
 S. .... Sungai ..... river



- 1 K. TRENGGANU
- 2 K. TRENGGANU
- 3 CHABANG TIGA
- 4 LOSONG
- 5 PALOH
- 6 KUBANG PARIT
- 7 RENGAS
- 8 TOK JAMAL
- 9 GELUGOR RAJA
- 10 BUKIT BESAR
- 11 BATU BUROK
- 12 IBAI
- 13 CHENERING
- 14 PENGADANG BULOH
- 15 ATAS TOL
- 16 GELUGOR KEDAI
- 17 KEPONG
- 18 SERADA
- 19 PULAU PULAU



## RELIABILITY OF DATA

DATA	QUAN.	QUAL.	LOC.	Quantitative & Qualitative Data
BOUNDARIES		GRI	NE	R - Reliable
HEADQUARTERS		GRC	NE	GR - Generally Reliable
TOWNS		NE		U - Unreliable
ROADS		GRI	NE	Coverage of Data
POLICE STATIONS		GRI	NE	C - Complete
				I - Incomplete
				Location of Data
				A - Accurate
				NE - Not Entirely Accurate
				OA - Only Approx. Accurate

QUANTITATIVE DATA The letters R, GR, and U are an estimate of the reliability of the map's quantitative data, the data which are measurable, including economic or population statistics, hypsometric data, the width of roads, gauges of railroads, etc.

QUALITATIVE DATA The letters R, GR, and U are an estimate of the reliability of the map's qualitative data which shows the types of road surfaces, character of beaches, types of terrain, etc.

COVERAGE The letters C and I in combination with R, GR, or U are an estimate of the degree of completeness of quantitative and qualitative data.

LOCATIONAL DATA The letters A, NE, and OA are estimates of the plotted accuracy of data within the limits of scale and width of line.















# POLITICAL DIVISIONS OF MALAYA: SINGAPORE ISLAND






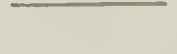

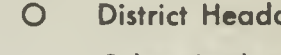

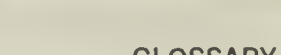






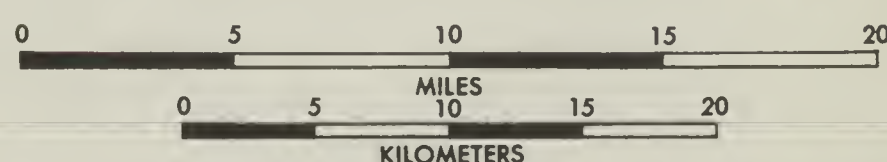


# POLITICAL DIVISIONS OF MALAYA KELANTAN

-  International Boundary
-  State Boundary
-  District Boundary
-  Mukim Boundary
-  Railroad
-  Road
-  State Capital
-  District Headquarters
-  Other Settlement
-  Police Station

## GLOSSARY

Kg. . . . . Kampong . . . . . village  
S . . . . . Sungai . . . . . river



RELIABILITY OF DATA				QUANTITATIVE & QUALITATIVE DATA
DATA	QUAN.	QUAL.	LOC.	
BOUNDARIES	GRI	NE		R - Reliable
HEADQUARTERS	GRC	NE		GR - Generally Reliable
TOWNS		NE		U - Unreliable
RAILROADS	GRI	NE		C - Complete
ROADS	GRI	NE		I - Incomplete
POLICE STATIONS	GRI	NE		Location of Data
				A - Accurate
				NE - Not Entirely Accurate
				DA - Only Approx. Accurate

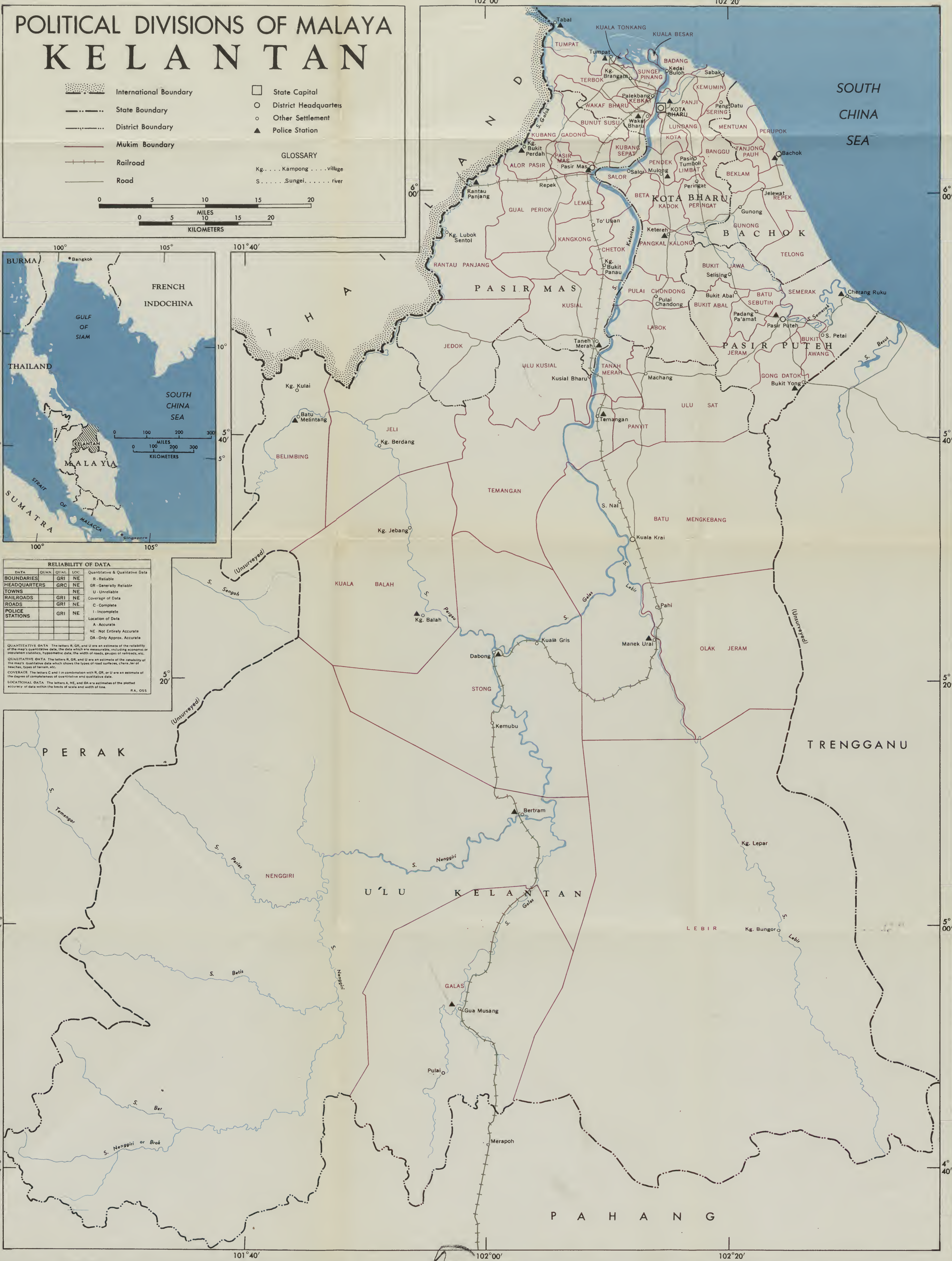
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QUALITATIVE DATA: The letters R, GR, and U are an estimate of the reliability of the map's qualitative data which shows the types of road surfaces, character of beaches, types of terrain, etc.

COVERAGE: The letters C and I in combination with R, GR, or U are an estimate of the degree of completeness of quantitative and qualitative data.

LOCATIONAL DATA: The letters A, NE, and DA are estimates of the plotted accuracy of data within the limits of scale and width of line.

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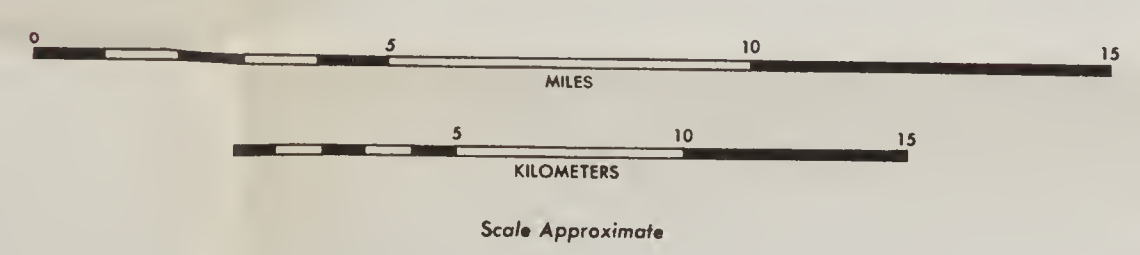






# POLITICAL DIVISIONS OF MALAYA NEGRI SEMBILAN

- State Boundary
- District Boundary
- Mukim Boundary
- Road
- Railroad
- State Capital
- District Headquarters
- Mukim Headquarters
- Other Settlement
- Police Station



- Glossary
- A. . . . . river-district
  - Kg. . . . . village; group of houses
  - K. . . . . mouth of a river; estuary
  - Pt. . . . . ditch, canal
  - S. . . . . river
  - T., Tk. . . . . bay, bight
  - U. . . . . upper reaches of a river; upland



RELIABILITY OF DATA				Quantitative & Qualitative Data
DATA	QUAN.	QUAL.	LOC.	
BOUNDARIES	GRI	NE		R - Reliable
ROADS	GRI	NE		GR - Generosity Reliable
RAILROADS	GRI	NE		U - Unreliable
HEADQUARTERS	GRI	NE		C - Complete
TOWNS	GRI	NE		I - Incomplete
POLICE STATIONS	GRI	NE		Location of Data
				A - Accurate
				NE - Not Entirely Accurate
				OA - Only Approx. Accurate

QUANTITATIVE DATA: The letters R, GR, and U are an estimate of the reliability of the quantitative data, the data which are measurable, including economic or population statistics, topographic data, the width of roads, bridges of railroads, etc.

QUALITATIVE DATA: The letters C, I, and NE are an estimate of the reliability of the qualitative data which shows the types of land surface, character of beaches, types of forests, etc.

COVERAGE: The letters C and I in combination with R, GR, or U are an estimate of the degree of completeness of quantitative and qualitative data.

LOCATIONAL DATA: The letters A, NE, and OA are estimates of the positional accuracy of data within the limits of scale and width of line.

R. A. OSS









RELIABILITY OF DATA			
DATA	QUAN.	QUAL.	LOC.
BOUNDARIES		GRI	NE
HDQTRS.		GRC	NE
TOWNS		GRI	NE
ROADS		GRI	NE
RAILROADS		GRI	NE
POLICE STATIONS		GRI	NE

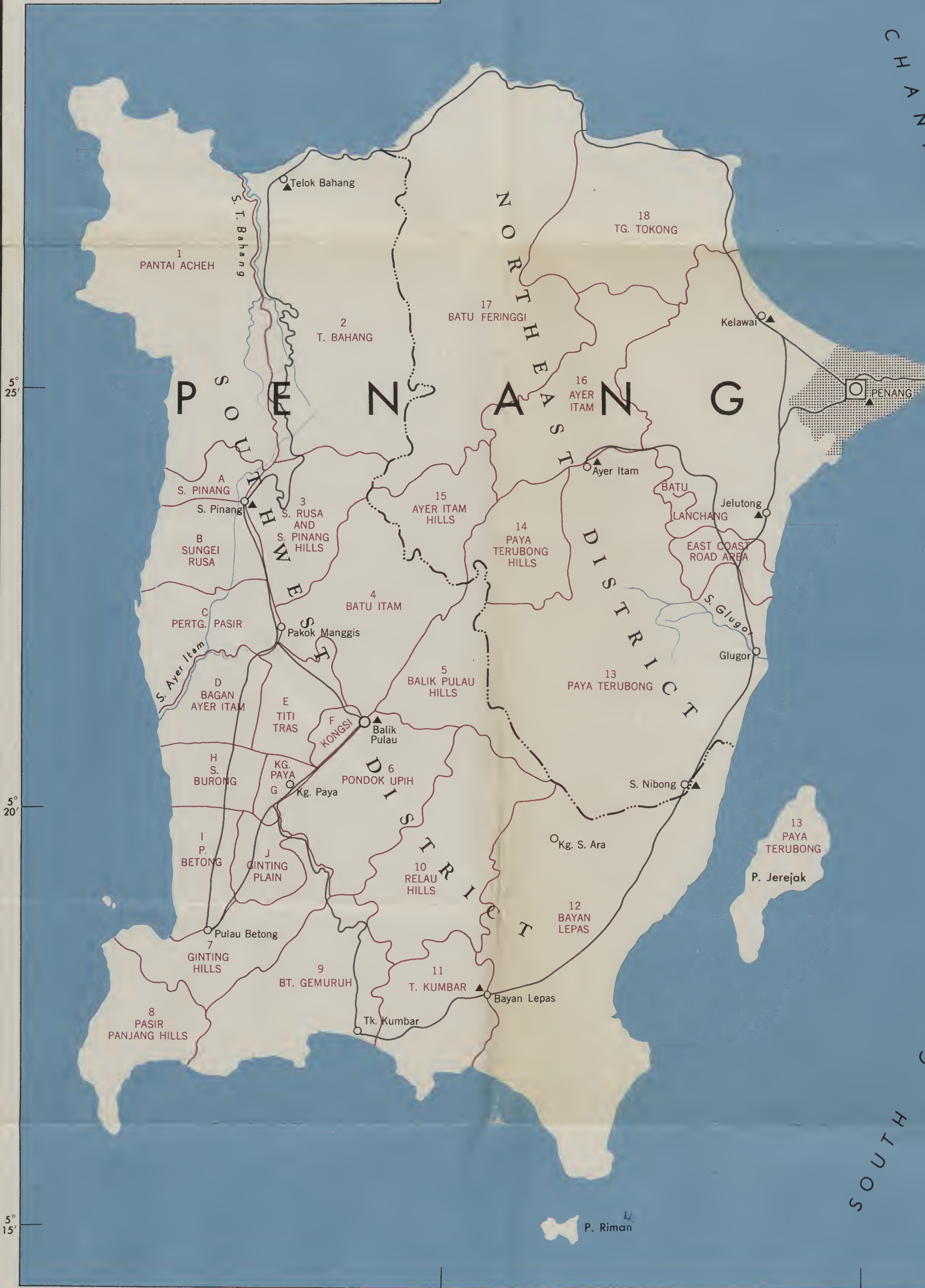
Quantitative & Qualitative Data  
 R - Reliable  
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 Coverage of Data  
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COVERAGE The letters C and I in combination with R, GR, or U are an estimate of the degree of completeness of quantitative and qualitative data.

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# POLITICAL DIVISIONS OF MALAYA PENANG AND PROVINCE WELLESLEY

GLOSSARY			
— — — State Boundary	Bt.; Bukit . . . . . river, height	□ State Capital	
— — — District Boundary	K.; Kuala . . . . . mouth of a river, estuary	○ District Headquarters	
— — — Mukim Boundary	Kg.; Kampong . . . . . village, group of houses	○ Other Settlement	
— — — Road	P.; Pulau . . . . . island	▲ Police Station	
— + — Railroad	S.; Sungai . . . . . river	■ Built-up Area	
	T.; Tk.; Telok . . . . . bay, winding part of a river		
	Tg.; Tanjung . . . . . cape, headland		
	Numbers and letters on Penang identify mukims.		
	Scale Approximate		













POLITICAL DIVISIONS OF MALAYA


PERAK


- 


International Boundary
- 


State Boundary
- 


District Boundary
- 

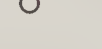
Mukim Boundary
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Railroad
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Road
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State Capital
- 

District Headquarters
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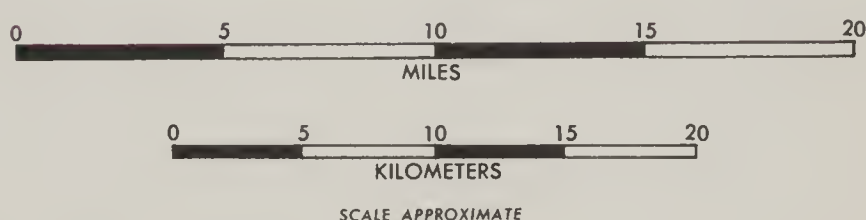
Mukim Headquarters
- 

Other Settlement
- 

Police Station

GLOSSARY

- Kg. . . . . Kampong . . . village  
P. . . . . Pulau . . . island  
S. . . . . Sungai . . . river



RELIABILITY OF DATA			
DATA	QUANT.	QUAL.	LOC.
BOUNDARIES	GRI	NE	NE
HEADQUARTERS	GRI	NE	NE
TOWNS	GRI	NE	NE
ROADS	GRI	NE	NE
RAILROADS	GRI	NE	NE
POLICE STATIONS	GRI	NE	NE

QUANTITATIVE DATA: The letters R, GRI, and U are an estimate of the reliability of the map's quantitative data, the data which are measurable, including economic or population statistics, topographic data, the width of roads, extent of railways, etc.

QUALITATIVE DATA: The letters R, GRI, and U are an estimate of the reliability of the map's qualitative data which show the types of land surface, character of rivers, types of terrain, etc.

COVERAGE: The letters C and U in combination with R, GRI, or U are an estimate of the degree of completeness of quantitative and qualitative data.

LOCATIONAL DATA: The letters A, NE, and OA are measures of the plotted accuracy of data within the limits of scale and width of line.

R, GRI, OA













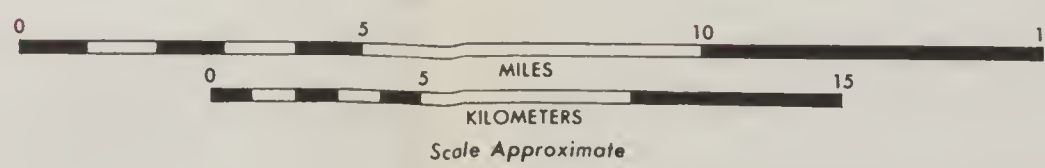






POLITICAL DIVISIONS OF MALAYA  
**SELANGOR**

- STATE BOUNDARY
- DISTRICT BOUNDARY
- MUKIM BOUNDARY
- ROAD
- RAILROAD
- STATE CAPITAL
- DISTRICT HEADQUARTERS
- MUKIM HEADQUARTERS
- OTHER SETTLEMENT
- POLICE STATION



RELIABILITY OF DATA				Quantitative & Qualitative Data
DATA	QUAN.	QUAL.	LOC.	
BOUNDARIES	GRI	RE		R - Reliable
ROADS	GRI	NE		GR - Generally Reliable
RAILROADS	GRI	NE		U - Unreliable
HEADQUARTERS	GRI	NE		Coverage of Data
OTHER TOWNS	NE			C - Complete
POLICE STATIONS	GRI	NE		I - Incomplete
Location of Data				A - Accurate
				NE - Not Entirely Accurate
				OA - Only Approx. Accurate

QUANTITATIVE DATA. The letters R, GR, and U are an estimate of the reliability of the map's quantitative data, the data which are measurable, including economic or population statistics, topographic data, etc.

QUALITATIVE DATA. The letters R, GR, and U are an estimate of the reliability of the map's qualitative data which shows the types of road surfaces, character of beaches, types of terrain, etc.

COVERAGE. The letters C and I in combination with R, GR, or U are an estimate of the degree of completeness of quantitative and qualitative data.

LOCATIONAL DATA. The letters A, NE, and OA are estimates of the plotted accuracy of data within the limits of scale and width of line.

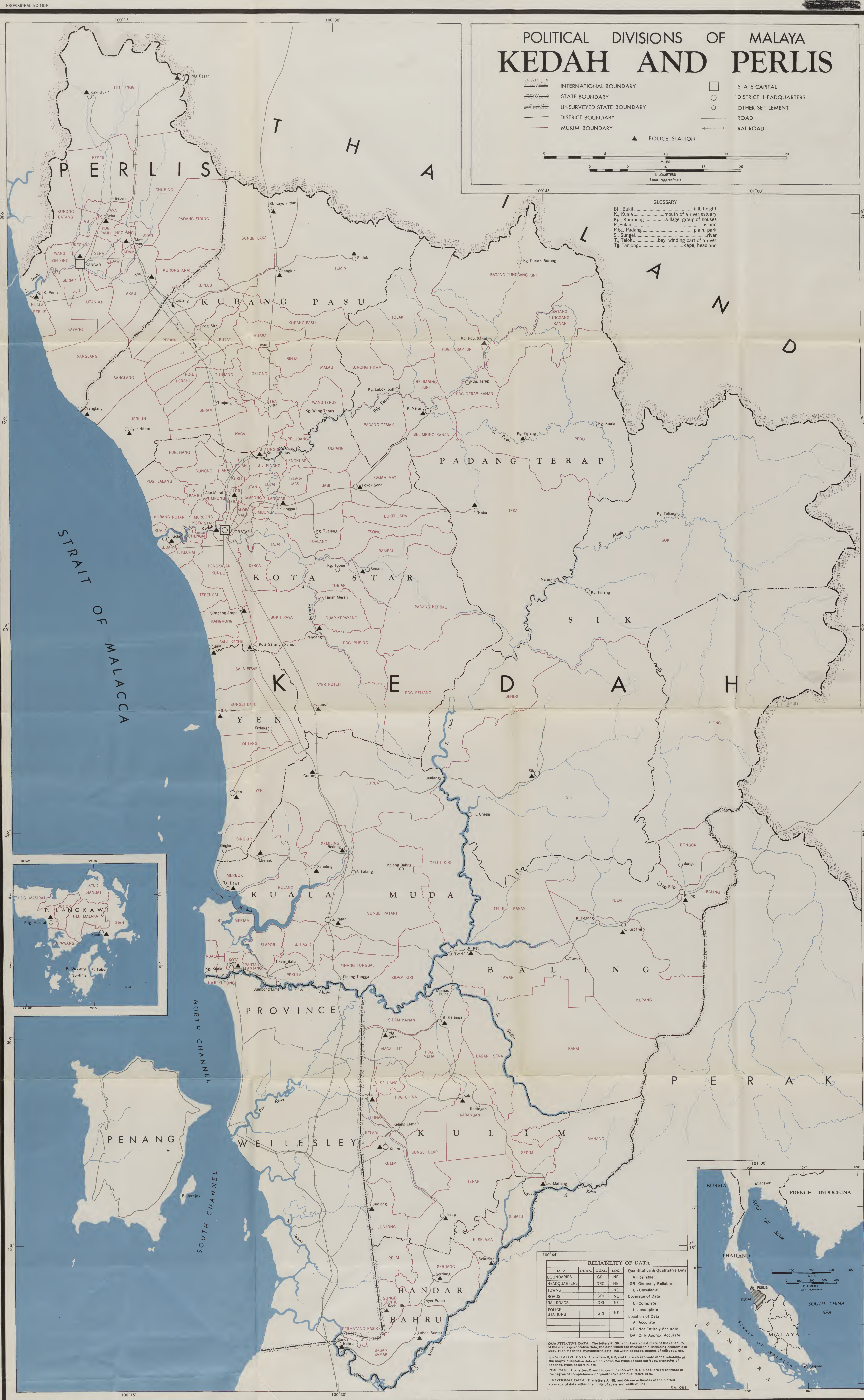
R.A. O.S.S.

- Glossary
- Bt. Bukit ..... hill, height
  - K. Kuala ..... mouth of a river; estuary
  - Kg. Kampong ..... village; group of houses
  - P. Pulau ..... island
  - S. Sungai ..... river
  - Tg. Tanjung ..... cape, headland
  - Tk. Telok ..... bay; winding part of a river
  - U. Ulu ..... upper reaches of a river; upland



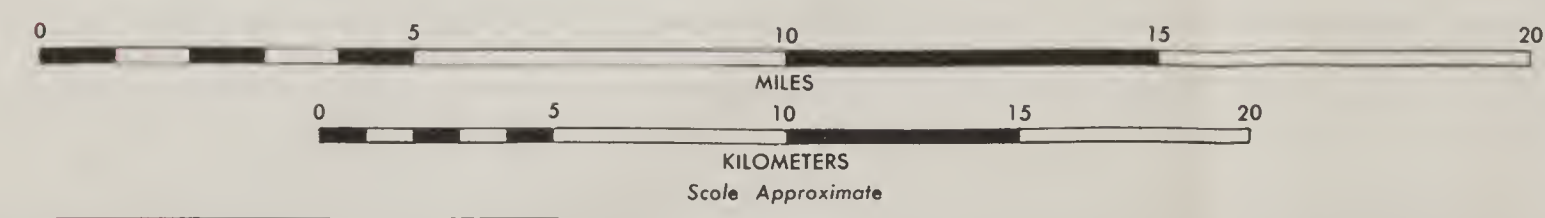






# POLITICAL DIVISIONS OF MALAYA KEDAH AND PERLIS

- INTERNATIONAL BOUNDARY
- STATE BOUNDARY
- UNSURVEYED STATE BOUNDARY
- DISTRICT BOUNDARY
- MUKIM BOUNDARY
- STATE CAPITAL
- DISTRICT HEADQUARTERS
- OTHER SETTLEMENT
- ROAD
- RAILROAD
- POLICE STATION



GLOSSARY  
Bt., Bukit ..... hill, height  
K., Kuala ..... mouth of a river, estuary  
Kg., Kampong ..... village, group of houses  
P., Pulau ..... island  
Pdg., Padang ..... plain, park  
S., Sungai ..... river  
T., Telok ..... bay, winding part of a river  
Tg., Tanjung ..... cape, headland



RELIABILITY OF DATA				
DATA	QUAN.	QUAL.	LOC.	
BOUNDARIES	GRI	NE		Quantitative & Qualitative Data
HEADQUARTERS	GRC	NE		R - Reliable
TOWNS		NE		GR - Generally Reliable
ROADS	GRI	NE		U - Unreliable
RAILROADS	GRI	NE		Coverage of Data
POLICE STATIONS	GRI	NE		C - Complete
				I - Incomplete
				Location of Data
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QUALITATIVE DATA: The letters R, GR, and U are an estimate of the reliability of the map's qualitative data which shows the types of road surfaces, character of landscape, types of terrain, etc.

COVERAGE: The letters C and I in combination with R, GR, or U are an estimate of the degree of completeness of quantitative and qualitative data.

LOCATIONAL DATA: The letters A, NE, and OA are estimates of the plotted accuracy of data within the limits of scale and width of lines.

RA, OSS









# POLITICAL DIVISIONS OF MALAYA

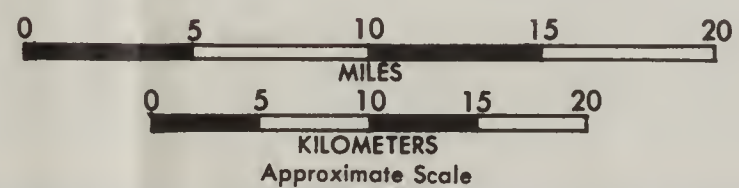
## JOHORE



- State Boundary
- District Boundary
- Mukim Boundary
- Railroad
- Road
- State Capital
- District Headquarters
- Other Settlement
- Police Station

### GLOSSARY

- Kg. . . . . Kampong . . . . . village
- P. . . . . Pulau . . . . . island
- S. . . . . Sungai . . . . . river



RELIABILITY OF DATA				Quantitative & Qualitative Data
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RA, OSS



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